

# HOUSE JOURNAL

OF THE

First and Second Extraordinary Sessions

## Forty-Third Legislature

OF THE

# STATE OF WASHINGTON

AT

## Olympia, the State Capital

First Extraordinary Session

Convened March 9, 1973

Adjourned Sine Die April 15, 1973

Second Extraordinary Session

Convened September 8, 1973

Adjourned Sine Die September 15, 1973



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LEONARD A. SAWYER, *Speaker*

JOHN L. O'BRIEN, *Speaker Pro Tempore*

DEAN R. FOSTER, *Chief Clerk*

DONALD R. WILSON, *Assistant Chief Clerk*

LOU ANN DILLARD, *Minute Clerk*

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*Compiled, Edited and Indexed by*

*DEAN R. FOSTER, Chief Clerk*

*LOU ANN DILLARD, Minute Clerk*

*ELJO SUTHERLAND, Journal Clerk*

## FIRST EXTRAORDINARY SESSION

## FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 9, 1973.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

## MESSAGE FROM THE SECRETARY OF STATE

March 9, 1973

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

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 the 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)

A. LUDLOW KRAMER,  
Secretary of State.

## PROCLAMATION BY THE GOVERNOR

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.

(Seal)

DANIEL J. EVANS,  
Governor.

#### RESOLUTION

HOUSE RESOLUTION NO. 73-46, by Representative Charette:

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

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

#### APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed Representatives North (Lois), McCormick and Valle to notify the Senate that the House of Representatives is now organized and ready to do business.

The committee retired.

#### COMMITTEE FROM THE SENATE

Senators Washington, Woodall and Talley appeared at the bar of the House and reported that the Senate was organized and ready to do business.

#### MOTION

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

## INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 32, by Representative Charette:

Notifying the Governor that the House is organized and ready to do business.

On motion of Mr. Thompson, the rules were suspended, House Concurrent Resolution No. 32 was advanced to second reading and read the second time.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 32 was placed on final passage and adopted.

## APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of House Concurrent Resolution No. 32, the Speaker appointed Representatives Maxie, Swayze and Moon to notify the Governor, jointly with the committee from the Senate, that the Legislature is organized and ready for business.

## REPORT OF SPECIAL COMMITTEE

The special committee consisting of Representatives North (Lois), McCormick and Valle to notify the Senate that the House was organized and ready to do business appeared before the bar of the House and reported that the Senate had been notified.

The report was received and the committee was discharged.

## MOTION

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

## RESOLUTIONS

HOUSE RESOLUTION NO. 73-47, by Representative Charette:

BE IT RESOLVED, By the House of Representatives, That the rules which governed the House of Representatives for the Forty-third Session of the Legislature be adopted by the House as the permanent rules of this Extraordinary Session of the Forty-third Legislature.

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

HOUSE RESOLUTION NO. 73-48, by Representative Charette:

WHEREAS, House Rule 3, subsection (f) provides that members of standing committees shall be selected by the

majority and minority party caucuses, and that the majority caucus will select all committee chairmen; and

WHEREAS, This Rule was complied with in selecting the members of the standing committees of the Forty-third Regular Session;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the standing committees of this Extraordinary Session of the Forty-third Legislature shall be the same as those appointed for the Forty-third Regular Session, and the members of the House named thereon are hereby reappointed.

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

HOUSE RESOLUTION NO. 73-49, by Representative Charette:

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

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

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

#### REPORT OF SPECIAL COMMITTEE

The special committee consisting of Representatives Maxie, Swayze and Moon appointed under the provisions of House Concurrent Resolution No. 32 to notify the Governor, jointly with the committee from the Senate, that the legislature is organized and ready to do business appeared before the bar of the House and reported that the Governor had been notified.

The report was received and the committee was discharged.

#### MESSAGE FROM THE SENATE

March 9, 1973

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 120,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Thompson, the House reverted to the fourth 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 Mr. Charette, the rules were suspended, Senate Concurrent Resolution No. 120 was advanced to second reading and read the second time.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 120 was placed on final passage and adopted.

## MESSAGE FROM THE SENATE

March 9, 1973

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 32,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

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

## POINT OF INFORMATION

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

## THIRD READING

HOUSE BILL NO. 6, by Representative Kilbury:

Providing for stops by buses at railroad crossings.

House Bill No. 6 was read the third time and placed on final passage.



## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 6, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 6, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 14, by Representative Bluechel:

Providing for the practice of acupuncture under the supervision of a licensed physician.

Engrossed House Bill No. 14 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 14, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 14, having received the constitutional 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. 32, by Representatives Charnley and Matthews:

Requiring the county auditor to notify the owner when a lien is filed.

Engrossed House Bill No. 32 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 32, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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

HOUSE BILL NO. 36, by Representative Smythe:

Permitting disbursement of county funds under the control of the county auditor and treasurer.

House Bill No. 36 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 36, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson,

Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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.

HOUSE BILL NO. 49, by Representatives Berentson, Charette, Pardini and Hoggins:

Providing for the payment of employee and employer contributions to the retirement system.

House Bill No. 49 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 49, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting Yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 49, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 63, by Representatives Adams, Kelley and Zimmerman:

Amending award in lieu of homestead provisions.

House Bill No. 63 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 63, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 63, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 69, by Representatives Kopet, Curtis, Barden and Polk (by Legislative Budget Committee request):

Repealing authorization for land reclamation tax levy.

House Bill No. 69 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 69, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams,

Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Hurley, Kilbury.

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.

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.

Engrossed House Bill No. 87 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 87, and the bill passed the House by the following vote: Yeas, 67; nays, 31; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bender, Benitz, Bluechel, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hayner, Hoggins, Hurley, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Matthews, McCormick, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smythe, Sommers, Thompson, Valle, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bausch, Beck, Berentson, Blair, Ceccarelli, Cunningham, Eikenberry, Freeman, Gilleland, Hansey, Hendricks, Jastad, Kuehnle, Leckenby, Martinis, Maxie, May, Moon, Nelson, Polk, Pullen, Rabel, Schumaker, Smith, Swayze, Tilly, Van Dyk, Warnke, Wojahn.

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

HOUSE BILL NO. 90, by Representatives Kopet, Thompson and Curtis (by Legislative Budget Committee request):

Providing for filing of personal service contracts.

House Bill No. 90 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 90, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Savage.

House Bill No. 90, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 102, by Representatives Bauer, Berentson, Laughlin, Hansey and Erickson:

Authorizing alternative procedures for payment of condemnation awards subject to benefits setoff.

House Bill No. 102 was read the third time and placed on final passage.

## ROLL CALL

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

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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

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.

Engrossed House Bill No. 114 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 114, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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

HOUSE BILL NO. 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.

House Bill No. 119 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 119, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Brown.

House Bill No. 119, having received the constitutional 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. 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.

Engrossed House Bill No. 123 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 123, and the bill passed the House by the following vote: Yeas, 86; nays, 12; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Berentson, Cunningham, Eikenberry, Flanagan, Hansey, Juelling, Julin, Kelley, Kuehnle, Polk, Pullen.



Engrossed House Bill No. 123, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 127, by Representatives Kilbury, Amen and Van Dyk:

Implementing law relating to distribution of taxes collected for taxing district purposes.

House Bill No. 127 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 127, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

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.

ENGROSSED HOUSE BILL NO. 129, by Representatives Kilbury, Sommers, Knowles and Kopet:

Increasing sheriff's civil fees.

Engrossed House Bill No. 129 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 129, and the bill passed the House by the following vote: Yeas, 56; nays, 42; not voting, C.

Voting yea: Representatives Adams, Anderson, Bauer, Bausch, Beck, Bender, Benitz, Bluechel, Charette, Chatalas, Clemente, Conner, Curtis, Ehlers, Ellis,

Erickson, Fortson, Gaines, Gaspard, Goltz, Hansen, Haussler, Hayner, Hendricks, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Luders, Martinis, May, McCormick, Moon, Newhouse, North F., North L., O'Brien, Parker, Perry, Savage, Shipoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barden, Berentson, Blair, Brown, Ceccarelli, Charnley, Cunningham, Douthwaite, Eikenberry, Eng, Flanagan, Freeman, Gallagher, Garrett, Gilleland, Hansey, Hoggins, Hurley, Juelling, Julin, Kraabel, Leckenby, Lysen, Matthews, Maxie, Morrison, Nelson, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Smythe, Williams, Wilson, Wojahn, Zimmerman.

Engrossed House Bill No. 129, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

House Bill No. 138 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 138, and the bill passed the House by the following vote: Yeas, 92; nays, 6; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Gaspard, Kelley, Polk, Smith, Warnke.

House Bill No. 138, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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 the equipment.

Engrossed House Bill No. 139 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 139, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bausch, Lysen, Warnke.

Engrossed House Bill No. 139, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 150, by Representatives Haussler, Smythe, Kalich and May:

Raising mileage allowance for county officers.

Engrossed House Bill No. 150 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 150, and the bill passed the House by the following vote: Yeas, 86; nays, 12; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Clemente, Conner, Cunningham, Curtis, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson,

Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, and Mr. Speaker.  
Voting nay: Representatives Bausch, Chatalas, Douthwaite, Ehlers, Eng, Hoggins, Kelley, Maxie, Parker, Randall, Warnke, Zimmerman.

Engrossed House Bill No. 150, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 152, by Representatives Conner and Savage:

Establishing new State Route No. 111.

House Bill No. 152 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 152, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 152, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 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.

Engrossed House Bill No. 160 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 160, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 160, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

ENGROSSED HOUSE BILL NO. 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.

Engrossed House Bill No. 161 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 161, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles,

Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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.

HOUSE BILL NO. 164, by Representatives Conner and Kuehnle:

Deleting county auditors' duty to compare tax records with county treasurer.

House Bill No. 164 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 164, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gallagher, Kuehnle, Swayze.

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. 183, by Representatives Kraabel, Eng, Brown and Bauer:

Authorizing school districts to pay travel expenses of certain prospective employees.

House Bill No. 183 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 183, and the bill passed the House by the following vote: Yeas, 92; nays, 5; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Beck, Conner, Fortson, Freeman, Hansen.

Not voting: Representative Hansey.

House Bill No. 183, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 204, by Representatives Adams, Zimmerman, Perry, Parker and Kelley:

Requiring disclosure of certain financial interests by medical practitioners.

Engrossed House Bill No. 204 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 204, and the bill passed the House by the following vote: Yeas, 82; nays, 15; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Flanagan, Hayner,

Hendricks, Hoggins, Juelling, Kopet, Moon, Morrison, Nelson, Newhouse, Pardini, Pullen, Schumaker, Swayze, Zimmerman.

Not voting: Representative Hansey.

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

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.

Substitute House Bill No. 208 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 208, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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. 225, by Representatives Amen, Haussler, Schumaker, Tilly and Kalich:

Implementing laws of motor vehicle equipment.

Engrossed House Bill No. 225 was read the third time and placed on final passage.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 225, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Bausch.

Not voting: Mr. Speaker.

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. 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.

House Bill No. 259 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 259, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe,

Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Mr. Speaker.

House Bill No. 259, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

Substitute House Bill No. 273 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 273, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North P., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Hayner, Savage.

Substitute House Bill No. 273, having received the constitutional 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.

Engrossed House Bill No. 280 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 280, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Swayze.

Engrossed House Bill No. 280, having received the constitutional 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. 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.

Engrossed House Bill No. 286 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 286, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke,

Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 286, having received the constitutional 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. 289, by Representatives Polk, Lysen, Freeman and Julin:

Providing for motorists' information signs.

Engrossed House Bill No. 289 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 289, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Gaines, Laughlin.

Engrossed House Bill No. 289, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

Engrossed House Bill No. 292 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 292, and the bill passed the House by the following vote: Yeas, 85; nays, 13; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson,

Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Van Dyk, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bausch, Cunningham, Eng, Fortson, Kelley, Kraabel, Moon, North F., Shinpoch, Valle, Warnke, Williams.

Engrossed House Bill No. 292, having received the constitutional 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. 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.

Engrossed House Bill No. 302 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 302, and the bill passed the House by the following vote: Yeas, 96; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Haussler, King, Moon.

Engrossed House Bill No. 302, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 304, by Representatives Chatalas, Bluechel and North (Frances):

Changing law respecting school district's contribution for insurance and protection of board members, employees, etc.

House Bill No. 304 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 304, and the bill passed the House by the following vote: Yeas, 84; nays, 14; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Curtis, Flanagan, Freeman, Gilleland, Hayner, Kuehnle, Morrison, Newhouse, Schumaker, Swayze, Zimmerman.

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.

#### EXPLANATION OF VOTE

I voted "no" on House Bill No. 304 because it provided "open-ended" financing of a benefit to educators that will place heavy pressure on school boards.

This places another issue up for negotiations. When the first step was taken in 1967, it began a trend that has risen steadily from a potential cost of \$200,000 a month to \$600,000 a month. With this bill there is no limit at all.

HAROLD S. ZIMMERMAN, 17th District.

ENGROSSED HOUSE BILL NO. 324, by Representatives Kopet, Shinpoch, Morrison and Curtis:

Regulating recommendations for changes in state budget accounting methods.

Engrossed House Bill No. 324 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 324, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 324, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 346, by Representatives Swayze, Knowles and Eikenberry (by Department of Social and Health Services request):

Implementing law of detention of juveniles.

House Bill No. 346 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 346, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles,

Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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.

HOUSE BILL NO. 369, by Representatives Conner, Morrison, Knowles, Martinis, Adams, Warnke, Bausch, Beck, Gaines and Kilbury:

Changing pension benefits of volunteer firemen.

House Bill No. 369 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 369, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 369, having received the constitutional 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. 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.

Engrossed House Bill No. 385 was read the third time and placed on final passage.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 385, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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

## EXPLANATION OF VOTE

I wish to be recorded as voting "no" on Engrossed House Bill No. 385.

CHARLES MOON, 39th District.

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.

House Bill No. 389 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 389, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen,

Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Kelley, Shipoch, Van Dyk, Zimmerman.

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.

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.

Engrossed House Bill No. 415 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 415, and the bill passed the House by the following vote: Yeas, 57; nays, 40; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Perry, Savage, Smythe, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Beck, Benitz, Berentson, Blair, Bluechel, Charnley, Cunningham, Curtis, Eikenberry, Eng, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansen, Haussler, Hayner, Hendricks, Julin, King, Knowles, Kopet, Kuehnle, Matthews, North L., Pardini, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Shipoch, Smith, Sommers, Tilly, Wilson.

Not voting: Representative Hansey.

Engrossed House Bill No. 415, having received the constitutional 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. 417, by Representative Thompson (by Attorney General request):

Providing for notice to the attorney general in court actions concerning water.

Engrossed House Bill No. 417 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 417, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Cunningham, Garrett.

Not voting: Representative Benitz.

Engrossed House Bill No. 417, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 420, by Representatives Savage, Morrison and Gallagher (by Department of Employment Security request):

Making certain administrative changes in unemployment compensation.

House Bill No. 420 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 420, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson,

Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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.

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.

Substitute House Bill, No. 429 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 429, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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.

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.

House Bill No. 444 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 444, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Amen.

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. 476, by Representatives Thompson, Rabel and Conner:

Defining certificated employee for the purposes of Title 28A RCW.

Engrossed House Bill No. 476 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 476, and the bill passed the House by the following vote: Yeas, 76; nays, 21; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King,

Knowles, Kopet, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Savage, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Berentson, Cunningham, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Kraabel, Kuehnle, Morrison, Newhouse, Pardini, Polk, Randall, Schumaker, Shinpoch, Swayze.

Not voting: Representative Smith.

Engrossed House Bill No. 476, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 576, by Representatives Bausch, Zimmerman, Anderson, Conner and Laughlin:

Authorizing free fishing licenses for certain blind persons.

Engrossed House Bill No. 576 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 576, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Newhouse.

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.

HOUSE BILL NO. 590, by Representatives Johnson, Kilbury and Benitz:

Providing for representation of breeders of quarterhorses on the racing commission.

House Bill No. 590 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 590, and the bill passed the House by the following vote: Yeas, 86; nays, 12; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., O'Brien, Pardini, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Blair, Brown, Cunningham, Eikenberry, Freeman, Julin, Newhouse, North L., Paris, Polk, Wilson.

House Bill No. 590, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

House Bill No. 604 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 604, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner,

Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, King, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Douthwaite.

Not voting: Representative Lysen.

House Bill No. 604, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

House Bill No. 628 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 628, and the bill passed the House by the following vote: Yeas, 89; nays, 9; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Berentson, Ehlers, Fortson, Hansey, Hoggins, Kelley, Moon.

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.

HOUSE BILL NO. 663, by Representative Charnley:

Requiring additional qualifications of water well construction licenses.



House Bill No. 663 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 663, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Tilly.

House Bill No. 663, having received the constitutional 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. 706, by Representative Randall:

Requiring assessors to add to the assessment list the omitted value of personal property.

Engrossed House Bill No. 706 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 706, and the bill passed the House by the following vote: Yeas, 82; nays, 16; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bausch, Benitz,

Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Hayner, Julin, Kuehnle, Matthews, Polk, Pullen, Schumaker, Zimmerman.

Engrossed House Bill No. 706, having received the constitutional 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. 736, by Representatives Bausch, Anderson and Hendricks:

Establishing base year formula for certain tax districts' excess levies.

Engrossed House Bill No. 736 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 736, and the bill passed the House by the following vote: Yeas, 82; nays, 16; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Eikenberry, Ellis, Eng, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barden, Berentson, Blair, Charnley, Cunningham, Douthwaite, Ehlers, Erickson, Flanagan, Hurley, North L., Pardini, Smythe, Tilly, Wilson, Zimmerman.

Engrossed House Bill No. 736, having received the constitutional 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.

Engrossed House Bill No. 753 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 753, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Haussler, King, Kuehnle, Schumaker.

Engrossed House Bill No. 753, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 782, by Representative Charette:

Regulating chain distributor business schemes.

Engrossed House Bill No. 782 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 782, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 782, having received the

constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 957, by Representatives Bluechel, Williams, Randall and Zimmerman:

Extending the state land planning commission until June 30, 1973.

House Bill No. 957 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 957, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 957, having received the constitutional 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. 1, by Representative Parker (by Military Department request):

Providing that the 9th Infantry Division be designated "The Northwest's Own."

House Joint Memorial No. 1 was read the third time and placed on final passage.

#### ROLL CALL

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

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette,

Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Pardini.

House Joint Memorial No. 1, having received the constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 9, by Representatives Parker, Cunningham, Wilson and Warnke (by Secretary of State request):

Requesting Congress to help Dr. Pat Smith continue her program in Vietnam.

House Joint Memorial No. 9 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 9, and the memorial passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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

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.

House Joint Memorial No. 14 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 14, and the memorial passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Kuehnle, Newhouse, Polk.

House Joint Memorial No. 14, having received the constitutional majority, was declared passed.

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):

Ratifying federal equal rights amendment.

House Joint Resolution No. 10 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 10, and the resolution passed the House by the following vote: Yeas, 76; nays, 21; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Haussler, Hayner, Hendricks, Hoggins,

Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barden, Berentson, Clemente, Cunningham, Curtis, Flanagan, Gallagher, Hansen, Hurley, Kopet, Kuehnle, Martinis, May, McCormick, Morrison, Newhouse, Parker, Pullen, Schumaker, Tilly, Zimmerman.

Not voting: Representative Hansey.

House Joint Resolution No. 10, having received the constitutional majority, was declared passed.

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.

Engrossed House Bill No. 137 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 137, and the bill passed the House by the following vote: Yeas, 91; nays, 6; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Flanagan, Freeman, Gilleland, Kuehnle, Schumaker.

Not voting: Representative Anderson.

Engrossed House Bill No. 137, having received the constitutional majority, was 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.

House Bill No. 287 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 287, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 287, having received the constitutional 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.

Engrossed House Bill No. 601 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 601, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews,



Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Clemente, Conner.

Not voting: Representative Randall.

Engrossed House Bill No. 601, having received the constitutional 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. 291, by Representative Charette:

Prohibiting private appraising by assistant and deputy assessors.

Engrossed House Bill No. 291 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 291, and the bill passed the House by the following vote: Yeas, 82; nays, 16; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bauer, Cunningham, Curtis, Flanagan, Hayner, Hurley, Julin, King, Kopet, Pardini, Polk, Schumaker, Smith, Smythe, Zimmerman.

Engrossed House Bill No. 291, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the bill.

#### EXPLANATION OF VOTE

I voted "no" on final passage of House Bill No. 291 because the three counties of Klickitat, Skamania and Clark have found no problem with private appraising. It has been a major source of improving the quality of assessing. Younger deputies have been encouraged by the original language of RCW 36.21.011. Its passage in 1971 has helped assessors hire and keep competent appraisers.

HAROLD S. ZIMMERMAN, 17th District.

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.

House Bill No. 364 was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 364, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 364, having received the constitutional 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.

House Concurrent Resolution No. 18 was read the third time and adopted.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE CONCURRENT RESOLUTION NO. 32.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding): "It has been called to the Speaker's attention that one of our Representatives will observe his thirty-fifth birthday tomorrow--King Lysen from the 35th District."

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

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

On motion of Mr. Thompson, the House adjourned until 12:00 noon, Monday, March 12, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FOURTH DAY

## NOON SESSION

House Chamber, Olympia, Wash., Monday, March 12, 1973.

The House was called to order at 12:00 noon by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Amen, Benitz, Eikenberry, Flanagan, Kraabel, Luders and Wilson.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Howard Perry of St. John's Episcopal Church of Olympia.

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

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1021, by Representatives Pullen and Paris:

AN ACT Relating to education, and the teaching of multiple philosophical viewpoints (thought by some to be scientific or religious) in certain public educational institutions; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW.

To Committee on Education.

HOUSE BILL NO. 1022, by Representative Pullen:

AN ACT Relating to narcotic drugs, dangerous drugs, and alcohol; amending section 8, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.060; and amending section 9, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.070.

To Committee on Social and Health Services.

HOUSE BILL NO. 1023, by Representatives Fortson, Clemente, Bender, Hansen, North (Frances) and Pullen:

AN ACT Relating to revenue and taxation; 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; and amending section 84.04.040, chapter 15, Laws of 1961 as amended by section 36,

chapter 149, Laws of 1967 ex. sess. and RCW 84.40.040.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1024, by Representatives Fortson, Bender, Clemente, North (Frances), Hansen, Pullen and Van Dyk:

AN ACT Relating to revenue and taxation; and adding a new section to Chapter 83.20 RCW.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1025, by Representatives Martinis and Wilson:

AN ACT Relating to fish and shellfish; and adding a new section to chapter 75.12 RCW.

To Committee on Natural Resources.

HOUSE BILL NO. 1026, by Representatives Van Dyk, North (Lois), Goltz, Kilbury, Douthwaite, Fortson, Charnley, Rabel, Lysen, Sommers and Kelley:

AN ACT Relating to consumer protection; adding a new chapter to Title 19 RCW; and prescribing penalties.

To Committee on Commerce.

HOUSE BILL NO. 1027, by Representatives Parker, Bender, Clemente and Fortson:

AN ACT Relating to taxation; and adding a new section to chapter 85.56 RCW.

To Committee on Judiciary.

HOUSE BILL NO. 1028, by Representative Parker:

AN ACT Relating to business and professions; and creating a new section.

To Committee on Commerce.

HOUSE BILL NO. 1029, by Representative Parker:

AN ACT Relating to compensation of certain persons; and creating a new section.

To Committee on Judiciary.

HOUSE BILL NO. 1030, by Representative Charette:

AN ACT Relating to the public printer; and amending section 43.78.030, chapter 8, Laws of 1965 as amended by section 114, chapter 81, Laws of 1971 and RCW 43.78.030.

To Committee on State Government.

HOUSE JOINT MEMORIAL NO. 18, by Representatives Conner, Martinis, Hansey and Van Dyk:

Requesting the secretary of state not to renew reciprocal fishing rights with Canada in West Coast waters.

To Committee on Natural Resources.

HOUSE JOINT MEMORIAL NO. 19, by Representatives Luders, Thompson, Zimmerman and Bauer:

Memorializing Congress to discontinue the proposed Asotin Dam project.

To Committee on Ecology.

HOUSE JOINT MEMORIAL NO. 20, by Representative Pullen:

Petitioning Congress to amend the social security laws to prevent loss of benefits by persons earning reduced wages in the years immediately prior to social security eligibility.

To Committee on Labor.

HOUSE JOINT RESOLUTION NO. 35, by Representatives Fortson, Bender, Clemente, Hansen and North (Frances):

Amending the Constitution to authorize property tax relief for homeowners.

To Committee on Constitution and Elections.

#### MOTION

Mr. Thompson moved that the bills, memorials and resolutions printed on today's agenda be considered first reading under the fourth order of business and be referred to the committees so designated with the exception of HOUSE BILL NO. 1026, to be referred to the Committee on Agriculture.

The motion was carried.

## MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Amen, Benitz, Berentson, Charnley, Eikenberry, Hayner, Kopet, Luders, McCormick, Rabel, Shinpoch, Sommers, Valle and Wilson who were excused.

## MESSAGES FROM THE SENATE

March 9, 1973

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 111,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 9, 1973

Mr. Speaker:

The Senate has passed:

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,  
SENATE BILL NO. 2084,  
ENGROSSED SENATE BILL NO. 2096,  
ENGROSSED SENATE BILL NO. 2111,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2113,  
ENGROSSED SENATE BILL NO. 2136,  
ENGROSSED SENATE BILL NO. 2140,  
ENGROSSED SENATE BILL NO. 2146,  
SENATE BILL NO. 2174,  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2175,  
SENATE BILL NO. 2176,  
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,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 9, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2438,  
 ENGROSSED SENATE BILL NO. 2453,  
 SENATE BILL NO. 2480,  
 ENGROSSED SENATE BILL NO. 2504,  
 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,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Charette, the House reverted to the fourth order of business for the introduction of bills.

#### INTRODUCTION AND FIRST READING

Mr. Charette moved that the bills, memorials and resolutions listed on the Messages from the Senate be assigned to the committees so designated in Senate Concurrent Resolution No. 120.

The motion was carried.



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

The Speaker (Mr. O'Brien presiding): "Today we have the good fortune of having the Daffodil Court and the Queen Mother, to be presented to you."

The Speaker (Mr. O'Brien presiding) appointed the following members to serve on the escort committee: Representatives Bausch, Parker, Nelson, Kelley, Gallagher, Gaspard, Beck, Adams, Eng, Swayze, Jueling, Freeman, Ehlers, Warnke, Bender and Smith.

The Speaker escorted the Queen Mother of the Daffodil Court, Mrs. Leonard A. Sawyer, to the rostrum.

The Speaker assumed the Chair, and introduced the following members of the Daffodil Court to the House of Representatives as they were escorted to the rostrum:

Connie Wallin, escorted by Representative Bausch, the 17-year-old daughter of Mr. and Mrs. George Wallin. She attends Eatonville High School and her hobbies are skiing, cooking and sewing.

Mary Gardner, escorted by Representative Parker, the 18-year-old daughter of Mr. and Mrs. Walker Gardner. She attends Franklin Pierce High School. Her hobbies are writing, sewing, driving and basketball.

Gwen Soine, escorted by Representative Nelson, is the 17-year-old daughter of Mr. and Mrs. Malcolm Soine. Gwen attends Washington High School and her hobbies are softball, water skiing, sewing, baking and traveling.

Pat Szemplenski, escorted by Representative Bender, the 17-year-old daughter of Mr. and Mrs. F. F. Szemplenski. Pat attends Rogers High School. Her hobbies are crafts, reading and animals.

Judy Burnson, escorted by Representative Adams, is the 17-year-old daughter of Mr. and Mrs. David B. Burnson. Judy attends Mount Tahoma High School and enjoys hiking, camping, creative writing and reading.

Phyllis Armstrong, escorted by Representative Gallagher, is the 17-year-old daughter of Mr. and Mrs. Robert Hunter. She attends Sumner High School and is interested in skiing, both snow and water, and reading.

Georgann Hawkins, escorted by Representative Gaspard, is the 17-year-old daughter of Mr. and Mrs. Warren Hawkins. Georgann attends Lakes High School and her interests include sewing, cooking, swimming and skiing.

Jennifer Lewis, escorted by Representative Beck, is the 16-year-old daughter of Mr. and Mrs. Bobbie Lewis. Jennifer attends Lincoln High School and her hobbies are swimming, skating, bowling, reading and dancing.

Susan Snyder, escorted by Representative Kelley, is the 17-year-old daughter of Mrs. Chiyoko Snyder and attends Clover Park High School. Susan's hobbies are skiing, tennis, hiking, art, sewing and cooking.

Faye Phillips, escorted by Representative Eng, is the 17-year-old daughter of Mr. and Mrs. Orval G. Phillips. Faye attends Bethel High School and her interests are snow and water skiing, dress designing, sewing and soccer.

Tracy Barry, escorted by Representative Swayze, is the 17-year-old daughter of Mr. and Mrs. James Barry and attends Peninsula High School. Her hobbies are sewing, arts and crafts, and she loves people.

Lisa Scott, escorted by Representative Juelling, is the 17-year-old daughter of Dr. Kathryn Scott. Lisa attends Wilson High School and is interested in sports, piano, cooking, sewing and crafts.

Rachelle McCabe, escorted by Representative Freeman, is the 17-year-old daughter of Dr. and Mrs. Edward McCabe. She attends Puyallup High School and her interests include piano, collecting records and sports.

Mary Copeland, escorted by Representative Smith, is the 17-year-old daughter of Clyde V. and Mrs. Rieko Copeland. Mary attends Stadium High School. Her hobbies are horseback riding, reading and skiing.

Jill Ford, escorted by Representative Ehlers, is the 17-year-old daughter of Mr. and Mrs. Harrison Ford. Jill attends Orting High School and her interests are showing 4-H dairy animals, cooking reading and music.

Sherri Murrey, escorted by Representative Warnke, is the 17-year-old daughter of Mr. and Mrs. John Murrey. Sherri attends Fife High School and is interested in sewing, swimming, hiking and camping.

The Speaker: "Now you can understand why the Representatives and people from Pierce County are so proud of our Daffodil Princesses. At this time I would like to introduce Sherri Murrey from Fife High School, who will represent the court to speak to us on behalf of the Daffodil Festival."

Sherri Murrey: "Hi. We are here today to invite you to the 1973 Daffodil Festival. It is the nation's first major floral festival of the year. This is the 40th anniversary of the Puyallup Valley Daffodil Festival and it has as its theme, 'Happiness Is.' We are proud to be one of the top five major festivals in the nation. Thousands of visitors come each year to this beautiful area in the Northwest. There are hundreds of activities--not only during the festival week, but during all the spring season which give the festival a special significance as a happy time for people of all ages. There is a little bit of everything in the valley towns of Tacoma, Puyallup, Sumner and Orting, including an exciting parade. I can tell that

you all enjoy a good time, and I know you will have fun at these festivities. Won't you join us please? And thank you very much for having us down here today."

The Speaker: "Girls, you did brighten our day today, and I can hardly wait to get back to the valley. I'm sure everybody will come to Tacoma, Puyallup, Sumner and Orting to enjoy with us the pleasures we find in the Daffodil Festival. Thank you once again, and I hope you enjoy your visit at the Capitol."

The escort committee escorted the Daffodil Court from the rostrum.

MOTIONS

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

On motion of Mr. Thompson, the House adjourned until 9:30 a.m., Tuesday, March 13, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 13, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Amen, Anderson and Kelley who were excused.

The Speaker (Mr. O'Brien presiding) called on Mr. Charette to preside.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Howard Perry of St. John's Episcopal Church of Olympia.

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

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1031, by Representatives Curtis, Kilbury, Hansen, Tilly and Morrison:

AN ACT Relating to the agricultural pesticide advisory board; and amending section 23, chapter 249, Laws of 1961 as last amended by section 8, chapter 191, Laws of 1971 ex. sess. and RCW 17.21.230.

To Committee on Agriculture.

HOUSE BILL NO. 1032, by Representatives Curtis and Flanagan:

AN ACT Relating to public utility districts; and amending section 3, chapter 245, Laws of 1941 and RCW 54.28.070.

To Committee on Transportation and Utilities.

HOUSE CONCURRENT RESOLUTION NO. 33, by Representatives Kilbury, Luders, Hayner, Bauer, Van Dyk, Fortson, Lysen and Clemente:

Providing for a study of policies and conditions at Monroe and Walla Walla.

To Committee on Social and Health Services.

## MOTIONS

On motion of Mr. Thompson, HOUSE BILL NO. 784 was rereferred from the Committee on State Government to the Committee on Ways and Means - Appropriations.

On motion of Mr. Thompson, HOUSE BILL NO. 1029 was rereferred from the Committee on Judiciary to the Committee on Social and Health Services.

## REPORTS OF STANDING COMMITTEES

March 12, 1973

HOUSE BILL NO. 394, Prime Sponsor: Representative Kilbury, providing for changes in the publication of notice of proposed constitutional amendments, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Eng, Erickson, Knowles, Maxie.

To Committee on Rules for second reading.

March 12, 1973

HOUSE BILL NO. 426, Prime Sponsor: Representative Eng, publishing notice of constitutional amendments and referendum bills, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Eng, Erickson, Knowles, Maxie.

To Committee on Rules for second reading.

The Speaker (Mr. Charette presiding) declared the House to be at ease.

The Speaker called the House to order.

## MOTION

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Wednesday, March 14, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 14, 1973.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Howard Perry of St. John's Episcopal Church of Olympia.

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

## MESSAGES FROM THE SENATE

March 13, 1973

Mr. Speaker:

The President has signed:  
SENATE CONCURRENT RESOLUTION NO. 120,  
and the same is herewith transmitted.  
Sidney R. Snyder, Secretary.

March 13, 1973

Mr. Speaker:

The President has signed:  
HOUSE CONCURRENT RESOLUTION NO. 32,  
and the same is herewith transmitted.  
Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:  
SENATE CONCURRENT RESOLUTION NO. 120.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1033, by Representatives Pullen, King, Brown and Fortson:

AN ACT Relating to voting devices and vote tallying systems; adding a new section to chapter 29.34 RCW; and declaring an emergency.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1034, by Representatives Goltz, Brown, King, North (Lois) and Savage:

AN ACT Relating to elections, voting and voter registration; 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.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1035, by Representatives Charette and Rabel:

AN ACT Relating to alcoholic beverages; adding a new section to Title 66 RCW; and declaring an emergency.

To Committee on Commerce.

HOUSE BILL NO. 1036, by Representatives Hansey, Wojahn, North (Lois), Douthwaite, Valle, Paris, Bluechel, Smythe, Gilleland, Freeman, Williams, Hansen, Benitz, Nelson, Brown, Cunningham, Eikenberry, Hendricks, Kraabel, Matthews, Tilly and Wilson:

AN ACT Relating to food; adding new sections to chapter 69.04 RCW; and prescribing penalties.

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.

To Committee on Social and Health Services.

HOUSE JOINT RESOLUTION NO. 36, by Representatives Polk, Kuehne, Eikenberry and Gilleland:

Amending the Constitution to provide for two year excess levies.

To Committee on Constitution and Elections.

#### MOTION

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

The motion was carried.

## REPORTS OF STANDING COMMITTEES

March 12, 1973

HOUSE BILL NO. 142, Prime Sponsor: Representative Sommers, raising the corporation annual report filing fees from one to two dollars, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Cunningham, Ehlers, Gaines, Hendricks, Hurley, Lysen, Moon.

March 12, 1973

HOUSE BILL NO. 431, Prime Sponsor: Representative Bagnariol, providing for cities or towns of the second, third, or fourth class to call for bids for the purchase of supplies, materials, or equipment, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Blair, Martinis, Nelson, North (Lois), O'Brien, Paris, Patterson, Smythe, Sommers, Zimmerman.

March 12, 1973

HOUSE BILL NO. 515, Prime Sponsor: Representative Martinis, pertaining to public work contracts in first class cities, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 10 strike "preliminary" and insert "final"

On page 1, section 1, line 11 strike "independent"

On page 1, section 1, line 11 after "engineer" insert ", architect"

On page 1, section 1, line 12 after "retained" insert "or employed"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Kuehnle, Laughlin, Martinis, Nelson, North (Lois), O'Brien, Paris, Patterson, Smythe, Sommers, Zimmerman.

March 12, 1973

HOUSE BILL NO. 595, Prime Sponsor: Representative Kopet, abolishing certain accounts within the general fund, reported by Committee on State Government.



MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Cunningham, Ehlers, Gaines, Hendricks, Hurley, Moon, Lysen, Perry.

March 13, 1973

HOUSE BILL NO. 621, Prime Sponsor: Representative Thompson, providing for environmental protection in public construction contracts, reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 9 after "documents" strike all the material down to and including "Washington and" on line 11 and insert "to the extent they are reasonably obtainable by the public awarding authority those provisions of"

On page 1, section 1, line 14 after "resources" insert "that affect or are affected by the projects"

On page 1, section 1, line 14 after "undertake" strike all the material down to and including "required" on line 15 and insert "additional work"

On page 1, section 1, line 17 after "ordinances" insert ", rules"

On page 1, section 1, line 19 after "additional" strike "measures" and insert "work"

On page 2, section 1, line 1 after "undertake" strike "measures" and insert "work"

Signed by Representatives Luders, Chairman; Smith, Vice Chairman; Charnley, Goltz, Kraabel, McCormick, Nelson, North (Lois), Pullen, Valle, Wilson.

March 12, 1973

HOUSE BILL NO. 681, Prime Sponsor: Representative Julin, exempting certain sales of property from the sales tax imposed to finance transportation systems, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, beginning on line 19 strike the entire paragraph down to and including line 25 and insert the following:

"Any sales tax imposed pursuant to authority of this section shall not apply to sales of property which will be first used outside the county, city or metropolitan municipal corporation imposing the tax if used in a county, city or metropolitan municipal corporation not imposing the tax: PROVIDED, That such use is substantial and constitutes the primary use for which the property was purchased; AND PROVIDED FURTHER, That such property is shipped to a point outside such county, city or metropolitan municipal corporation, pursuant to the contract of sale, by delivery to such point by the retailer, or by a delivery by the retailer to a for-hire

carrier consigned for shipment to the purchaser at such point."

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Bluechel, Erickson, Goltz, Hurley, Julin, Kilbury, King, Pardini.

MINORITY recommendation: Do not pass. Signed by Representatives Kuehnle, Moon, Williams.

March 13, 1973

HOUSE BILL NO. 746, Prime Sponsor: Representative Conner, implementing the laws protecting forest lands, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Conner, Gilleland, Hansen, Hansey, Haussler, Kalich, Kilbury, Schumaker, Tilly.

March 12, 1973

HOUSE BILL NO. 827, Prime Sponsor: Representative Bausch, providing that county comprehensive plans may cover a portion of such county, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

In section 1, lines 15 through 19 strike the entire paragraph and insert the following:

"Any comprehensive plan adopted for a portion of a county shall not be deemed invalid on the ground that the remainder of the county is not yet covered by a comprehensive plan. This 1973 amendatory act shall also apply to comprehensive plans adopted for portions of a county prior to the effective date of this 1973 amendatory act."

Immediately following section 1, add a new section 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."

In line 2 of the title, after "RCW 36.70.320" insert "and declaring an emergency"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Blair, Laughlin, Martinis, Nelson, North (Lois), O'Brien, Paris, Patterson, Smythe, Sommers, Zimmerman.

March 12, 1973

HOUSE BILL NO. 1026, Prime Sponsor: Representative Van Dyk, providing for a state-wide system of unit pricing in grocery stores, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendment:

On page 7, section 10, line 10 after "dollars" strike all of the material down to and including "imprisonment" on line 11

Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Charette, Haussler, Laughlin, Van Dyk.

March 13, 1973

HOUSE JOINT MEMORIAL NO. 16, Prime Sponsor: Representative Goltz, providing that the United States Congress use its best efforts to insure that funds appropriated for water pollution control be expended, reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Luders, Chairman; Smith, Vice Chairman; Beck, Charnley, Goltz, Kraabel, McCormick, Valle, Wilson.

## MOTION

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to the Committee on Rules for second reading.

## POINT OF ORDER

Mr. Swayze: "I challenge the committee report on HOUSE BILL NO. 1026 under Rule No. 81, having been passed out of Committee on Agriculture without a regularly constituted meeting called therefor."

Mr. Benitz: "For the benefit of the members and the Speaker, I just wish to relate a couple of instances here for the challenge which Representative Swayze has given on the Agriculture Committee. It is my understanding in checking with other members of the committee that there was no notice of committee meeting. We did not have the salmon-colored sheet. None of us had it supplied to our desk. The yellow sheet did not list the Agriculture Committee--it listed only a subcommittee and listed nothing with executive action. Some of the members of the Agriculture Committee were not notified and therefore were not in attendance. I feel it would be most irregular to consider this bill under those circumstances."

Mr. Charette: "In commenting on this challenge, this was an Agriculture Committee meeting that was called on time. And I have to admit that I was about fifteen minutes late, but there was only one member of the

committee that wasn't present when I was there. As a matter of fact, that member had told us he was not going to be able to be in Olympia. I didn't see any great problem. I knew that the committee meeting was going to be held, and all of the members, except one, were present. It is a rather small bill. I think it is difficult to understand how people can challenge the action of the committee just because they don't like the bill. Probably some place along the line they will get an opportunity to express their lack of desire for this type of legislation by vote."

Mr. Schumaker: "The remarks just made by Representative Charette are not quite accurate. I also was not present. I was in the cafeteria, leisurely taking on a little morning nourishment, and we did not get these pink slips. We had no notification whatsoever. The remarks made by Representative Benitz are one hundred percent true. There were at least two of us absent, that I know of."

Mr. Amen: "I was not present the last two days. I could not be here. However, in checking on this beforehand, the Committee Clerk came around and said there would be a subcommittee meeting. My secretary asked if it would be a meeting at which I should be present, and he said 'No, it is just a subcommittee meeting and no action will be taken.' If I had known that action was to be taken, I would have made every effort to be here. I think this committee report should not be read in now."

#### RULING BY THE SPEAKER (Mr. O'Brien presiding)

The Speaker (Mr. O'Brien presiding): "The Speaker is going to rule that the Report of Standing Committee on House Bill No. 1026 stands. It was reported out of committee. This does not preclude any member from making any subsequent motion he might desire. The question that was raised is not well taken, on the basis that the committee chairman has reported out the bill, with the majority of the committee signing it. I will rule that the procedure is in order."

#### PARLIAMENTARY INQUIRY

Mr. Newhouse: "May I ask then, Mr. Speaker, if it will be the practice for a committee chairman to be able to call a committee meeting, not regularly scheduled, without notifying or attempting to notify all the members of the committee?"

The Speaker (Mr. O'Brien presiding): "It is not the Speaker's prerogative or duty to impugn the motives of any committee chairmen. I would imagine the committee chairman took all the necessary precautions. If there was a break down in communications, that could happen in any procedure."

Mr. Newhouse: "I would point out to the Speaker that it is the normal procedure to notify each member on this desk, and the member's office desk, by the salmon-colored sheet, of every regularly-scheduled

committee meeting. In this case it was not done, and I am asking if the procedure is to be changed?"

The Speaker (Mr. O'Brien presiding): "It is not the management or the administration of the majority of this House to engage in anything that would not be the proper procedure. If you check the procedures and practices in the past, you might find that on occasion errors and omissions have been made, but they have not been intentional."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Thompson that all standing committee reports listed on the fifth order of business sheet be passed to the Committee on Rules for second reading.

The motion was carried.

#### MOTION

Mr. Amen moved that HOUSE BILL NO. 1026 be rereferred to the Committee on Agriculture.

Representatives Amen and Curtis spoke in favor of the motion, and Representatives Van Dyk and Savage spoke against the motion.

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

Mr. Swayze spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Barden.

Mr. Barden: "Representative Kilbury, if this motion were to pass, I notice on the calendar that the Agriculture Committee is scheduled to meet tomorrow morning. Would it be your intention then to put this bill on the schedule before the full Agriculture Committee and hear it in executive session tomorrow morning?"

Mr. Kilbury: "Mr. Barden, I have already heard the bill. I might point out to you that I went to the Republican members of the committee--at least to their leaders--and told them that this bill was coming. Tomorrow morning we have scheduled the corporate farming bill. We are going to hold a hearing on that. We have people from all over the state, and I don't intend to change the schedule."

Mr. Barden: "Representative Kilbury, could I ask that question perhaps in a different way. If this motion prevails, would you hear the bill in executive session at your earliest opportunity, because the bill would then be back in your committee?"

Mr. Kilbury: "I would again repeat that this would

be subject to a considerable problem in scheduling. I have already tentatively scheduled ahead. I would, of course, have to look at the schedule and see what I could do."

Mr. Barden spoke in favor of the motion by Mr. Amen, and Mr. Charette spoke against it.

#### POINT OF ORDER

Mr. Swayze: "Mr. Charette is not speaking to the motion."

The Speaker (Mr. O'Brien presiding): "Neither is anyone else."

Mr. Charette concluded his remarks in opposition to the motion, and Representative Pardini spoke in favor of the motion.

Mr. Amen closed debate, speaking again in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Amen to rerefer House Bill No. 1026 from the Committee on Rules to the Committee on Agriculture, and the motion was lost by the following vote: Yeas, 39; nays, 57; not voting, 2.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bagnariol, Rabel.

#### EXPLANATION OF VOTE

On this day, March 14, 1973, I voted in favor of referring House Bill No. 1026 from the Committee on Rules to the Committee on Agriculture. My vote does not mean that I oppose the concept of unit pricing, but rather, that in this case the membership of the Agriculture Committee had not been accorded due process of law and opportunity to consider this bill, as set forth in House Rule 81.

KENNETH O. EIKENBERRY, 36th District.  
JOHN E. CUNNINGHAM, 33rd District.

## STATEMENT FOR THE JOURNAL

The motion by Representative Amen to rerefer House Bill No. 1026 back to the Committee on Agriculture was made in protest to the procedure followed in processing the bill. Notification to committee members indicated a subcommittee meeting only, and specified no executive session or full committee meeting on the newly-introduced measure. Several members were denied their right to participate and the 39-57 vote reflects our objection to improper committee procedure. The vote in no way relates to the issue involved, as unit pricing, when properly handled, will receive bi-partisan support.

IRVING NEWHOUSE, 15th District.  
Signing for all 39 members voting "yea."

The Speaker assumed the Chair.

## SECOND READING

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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 51 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 51, and the bill passed the House by the following vote: Yeas, 91; nays, 5; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Eng, Goltz, Matthews, Paris, Zimmerman.

Not voting: Representatives Bagnariol, Flanagan.

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. 76, by Representatives Bagnariol, Ceccarelli, Gaspard and Pardini:

Providing for guaranteed renewability of health insurance contracts and cancellation only for nonpayment of premium.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments see Journal for fortieth day, February 16, 1973.)

On motion of Mr. Ceccarelli, the first three committee amendments were adopted.

Mr. Ceccarelli moved adoption of the committee amendment to page 1, line 11 striking "a health care service contractor" and spoke in favor of its adoption.

#### POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Ceccarelli, am I to understand that by these amendments you are striking health care contractors from the effect of this bill so that they can possibly cancel out that type of policy, and other policies cannot be canceled by the insuring agency?"

Mr. Ceccarelli: "Yes."

Mr. Newhouse: "Would you answer as to why health care contractors should be allowed to cancel, and other companies should not?"

Mr. Ceccarelli: "They felt they were covered under previous legislation. What this bill lends itself to is that a person can only be canceled out for nonpayment. We are trying to get at, in this bill, the so-called advertising agencies that are coming into this state, offering health care and medical services and not living up to their contracts--where the minute you have a claim you are canceled out. So what this bill lends itself to is that those people that apply and receive this type of health care contract--the only way they can be canceled out is for nonpayment. The health care service contractors have had a good record in this state as our own state plan, and and so therefore we have eliminated them from the bill."

The committee amendment was adopted.

On motion of Mr. Ceccarelli, the last two committee amendments were adopted.

House Bill No. 76 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed



House Bill No. 76 was placed on final passage.

Mr. Ceccarelli spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 76, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pullen.

Not voting: Representatives Bagnariol, Brown.

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

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.

Mr. Adams moved adoption of the following amendment:

On page 2, line 11 after "concerning" strike the balance of the bill and insert "the honesty, truthfulness, and good reputation, as well as the identity, including but not limited to fingerprints, of any applicants for a license, or of the officers of a corporation making the application."

Mr. Adams spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Pullen.

Mr. Pullen: "I am interested in this wording 'including but not limited to fingerprints.' Would this wording allow the director to request that an applicant take a polygraph test?"

Mr. Adams: "No, I wouldn't think so."

The amendment by Mr. Adams was adopted.

House Bill No. 124 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 124 was placed on final passage.

Representatives Adams and Garrett spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 124, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Hayner, Nelson, Pullen.

Not voting: Representative Brown.

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.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 221, by Representatives Parker, Tilly, 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, Shinpoch, Warnke, Bagnariol, McCormick, Rabel, Jastad, Ceccarelli, Chatalas, Van Dyk, Bender, Curtis, Fortson and Pardini:

Making it a felony to resell food stamps and food purchased therewith at a profit and to purchase food obtained with food stamps for resale.

## MOTION

On motion of Mr. Knowles, Substitute House Bill No. 221 was substituted for House Bill No. 221, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 221 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 221 was placed on final passage.

Mr. Parker spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 221, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Perry.

Not voting: Representatives Brown, and Mr. Speaker.

Substitute House Bill No. 221, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 423, by Representatives Ceccarelli and Rabel (by Department of Commerce and Economic Development request):

Providing for alien banks in Washington.

Committee on Financial Institutions recommendation: Majority do pass as amended. (For amendments see Journal for forty-second day, February 18, 1973.)

The bill was read the second time.

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

House Bill No. 423 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 494, by Representatives Berentson, Van Dyk, Hurley and Hoggins:

Enabling appropriations of state funds for common schools activities programs.

Committee on Education recommendation: Majority, do pass as amended. (For amendment see Journal for sixtieth day, March 8, 1973.)

The bill was read the second time.

On motion of Mr. Bauer, the committee amendment was adopted.

On motion of Mr. Bauer, the following amendment by Representatives Bauer and Benitz was adopted:

On page 1, section 1, line 13 after "children." add a new paragraph:

"A common school district is authorized to offer, support and maintain extra curricular student activities as a part of its education program. The superintendent of public instruction shall promulgate rules and regulations which shall govern a district's expenditure of funds for such purposes and which define "extra curricular student activities" for the purpose of this 1973 act. The term "extra curricular student activities" may include interscholastic sports and other forms of interscholastic competition; student government and such other student related activities which the superintendent deems contribute to the mental and physical developments or well being of the students."

Mr. Wilson moved adoption of the following amendment by Representatives Wilson and Nelson:

On page 1, following the amendment by Representatives Bauer and Benitz insert "PROVIDED, That amounts used for this purpose be considered interest-free loans from the school district's general fund which are to be repaid from activities fees and receipts"

Representatives Wilson and Nelson spoke in favor of adoption of the amendment, and Representatives Berentson and Thompson spoke against the amendment.

The amendment was not adopted.

House Bill No. 494 was ordered engrossed.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 494 be placed on final passage.

The motion was lost on a rising vote.

HOUSE BILL NO. 638, by Representatives Gaspard, Pardini and Bagnariol:

Providing for the regulation of debenture companies.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments see Journal for forty-first day, February 17, 1973.)

The bill was read the second time.

On motion of Mr. Gaspard, all committee amendments were adopted except for the following amendment which Mr. Gaspard moved be not adopted:

On page 11, section 11, line 13 before "preceding" strike "the" and after "year" strike "and" and insert "such financial statements"

On motion of Mr. Gaspard, the following amendments were adopted as one amendment:

On page 5, section 1, line 23 at the beginning of the line strike "certified" and insert "audited"

On page 5, section 1, line 27 at the beginning of the line strike "certified" and insert "audited"

On page 5, section 1, line 31 after "be" strike "certified" and insert "audited"

On page 6, section 1, line 11 at the beginning of the line strike "certified" and insert "audited"

On page 6, section 1, line 12 after "or" strike "certified" and insert "audited"

On page 7, section 5, line 28 after "who" strike "certified" and insert "audited"

On page 11, section 11, line 19 after "be" strike "certified" and insert "audited"

On page 11, section 11, line 20 after "be" strike "certified" and insert "audited"

On motion of Mr. Gaspard, the following amendment was adopted:

On page 11, section 11, line 13 after "and" and before "shall" insert "such financial statements"

House Bill No. 638 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 638 was placed on final passage.

Representatives Gaspard and Pardini spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 638, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson,

Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Knowles.

Not voting: Representatives Brown, North L., Perry, and Mr. Speaker.

Engrossed House Bill No. 638, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### RESOLUTIONS

HOUSE RESOLUTION NO. 73-52, by Representatives Conner and Savage:

WHEREAS, Ernest M. Brannon began his career with the Department of Fisheries in May of 1923 after graduating from 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 House of Representatives 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 Chief Clerk of the House of Representatives shall have this Resolution suitably inscribed and transmitted to Ernest M. Brannon.

Mr. Conner moved adoption of the resolution.

Representatives Conner and Savage spoke in favor of the resolution, and it was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House Mr. Ernest M. Brannon and requested that Representatives Conner and Savage conduct him to a place on the rostrum.

The Speaker (Mr. O'Brien presiding): "Mr. Brannon, it is my great pleasure to present to you on behalf of the House of Representatives this resolution which we just adopted."

Mr. Ernest M. Brannon: "Members of the House of Representatives of the State of Washington: I want to say this is indeed a pleasure for me to come and speak a few words and to thank you very much for what you have done in having me here. I had the chance to say the same thing in our State Senate, but I did not want to take too much time because I know how important everything is that you people are doing here in Olympia. Thank you very much."

Representatives Conner and Savage escorted Mr. Brannon from the rostrum.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized in the north gallery Mr. David Lewis, Governor of the YMCA Youth Legislature, from the 44th District and asked him to stand and be recognized.

#### RESOLUTION

HOUSE RESOLUTION NO. 73-50, by Representative Ehlers:

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 turnaway 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 House of Representatives 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 Chief Clerk of the House of Representatives to Coach Blanusa and to each member of

the team.

Mr. Ehlers moved adoption of the resolution.

Mr. Ehlers spoke in favor of adoption of the resolution, and Mr. Eikenberry spoke against it.

The resolution was adopted.

#### MOTION

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

#### THIRD 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.

#### MOTION

On motion of Mr. Thompson, the House deferred consideration of Engrossed Substitute House Bill No. 52, and it was ordered placed on tomorrow's third reading calendar.

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 third time and placed on final passage.

Mr. Barden spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 84, and the bill passed the House by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien,



Pardini, Paris, Parker, Patterson, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Hayner, Julin, Newhouse, Pullen.

Not voting: Representatives Brown, Hoggins, Perry, Smythe, and Mr. Speaker.

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.

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.

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

Mr. Kopet spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 105, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Brown, Hoggins, Patterson, Perry, Sommers, and Mr. Speaker.

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

## STATEMENT FOR THE JOURNAL

Under the rules of the House and Code of Ethics, a legislator does not have a conflict of interest on a measure that affects him as a member of a class only. To avoid any misunderstanding, however, I did not vote on Engrossed House Bill No. 105 dealing with retirement benefits for employees of Washington State University.

E. G. "PAT" PATTERSON, 9th District.

ENGROSSED HOUSE BILL NO. 502, by Representatives Savage, Benitz and Kilbury:

Implementing laws relating to nuclear thermal power facilities.

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

Mr. Savage spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 502, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Brown, Hoggins, Perry, and Mr. Speaker.

Engrossed 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.

## MOTION

On motion of Mr. Charette, Engrossed House Bill No. 502 was ordered transmitted immediately to the Senate.

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.

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

Mr. Randall spoke in favor of the bill.

POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Savage.

Mr. Savage: "Does this have anything to do with imposing any other taxes on the rentals of mobile homes or anything like that?"

Mr. Randall: "No, this does not impose any other tax. As a matter of fact, it changes another section, and I think I will let Representative Bausch address himself to that."

Mr. Bausch spoke in favor of the bill.

POINT OF INQUIRY

Mr. Randall yielded to question by Mr. May.

Mr. May: "I thought you implied there would be no sales tax on the original purchase?"

Mr. Randall: "Thank you for the question. When a new home is sold, the sales tax applies. When a new mobile home is sold, the full sales tax applies. When the mobile home, if it is used, is brought into the state for the first time, the full sales tax applies. On the subsequent sale of a home or mobile home, the real estate transaction tax applies. And what this bill says is that the real estate transaction tax will apply to the sale of a mobile home if, in fact, it is listed as real property."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 726, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Brown, Hayner,

Hoggins, Patterson, Perry, and Mr. Speaker.

Engrossed House Bill No. 726, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House members of the Florida State Legislature and requested that Representatives Ceccarelli, Pardini, King, Shinpoch, Kopet, Beck, Berentson, Hurley and Hayner conduct them to a place on the rostrum.

The Speaker (Mr. O'Brien presiding): "It is my great honor and pleasure to present to you this morning the Speaker Pro Tem of the Florida Legislature, the Honorable A. W. 'Gus' Craig."

Mr. Craig: "Thank you, Mr. Speaker. It is a pleasure to be here in the state of Washington. On behalf of the Speaker of the Florida House of Representatives and the President of the Florida Senate--I bring you greetings. They are two great leaders that we have in Florida this year, and I really believe we are going to have just a 60-day session. At this time I would like to introduce my colleagues: A. S. 'Bill' Robinson, on my right--a good friend and Republican from Florida who came with us and he is a great guy; Jack Shreve is Chairman of the Criminal Justice Committee; and W. L. 'Bill' Fulford is Chairman of our Natural Resources Committee. You know they made me Speaker Pro Tem, and I thought I was really going to be something big--but I found out they were just getting rid of me, is what the whole thing was--it didn't amount to a hill of beans. Not only that, but Fulford won't let me talk any more--he is Chairman of the Committee now. But really, you have a beautiful state and a beautiful capitol. It's a pleasure being here with you. We've learned a lot this morning from your people regarding your computerized program. Hopefully we'll take some of that back to Florida, and we will improve our position as far as state legislatures are concerned in the United States of America. Again, we are happy to with you, and we hope you all will come to Florida to visit with us sometime in the Sunshine State."

The Speaker (Mr. O'Brien presiding): "Mr. Speaker, you made certain comments about being advanced to the position of Speaker Pro Tem so they could get rid of you. I noticed that many out in our assembly picked up those words with somewhat anxious ears. They have been trying to get rid of me for a long time. It is a great pleasure to have you, and we hope that you did bring some of that sunshine with you. Our weather isn't quite what you have in Florida, but we hope you have received the courtesy that Washington has been noted to offer visiting legislators. If we can be of any further service, please call on us. It is a real honor to have you with us."

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.

Representatives Beck and Tilly spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2037, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Smythe, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Hurley, Shinpoch, Sommers.

Not voting: Representatives Brown, Perry, and Mr. Speaker.

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.

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.

Mr. Barden spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2111, and the bill passed the

House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Brown, Hansen, Perry.

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.

#### MOTION

On motion of Mr. Thompson, the rules were suspended and Engrossed Substitute Senate Bill No. 2113 was returned to second reading for the purpose of amendment.

Mr. Parker moved adoption of the following amendment by Representatives Parker and Newhouse:

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."

## MOTIONS

On motion of Mr. Thompson, the House deferred further consideration of Engrossed Substitute Senate Bill No. 2113, and the bill was ordered placed on tomorrow's second reading calendar.

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

## REPORTS OF STANDING COMMITTEES

February 10, 1973

HOUSE BILL NO. 53, Prime Sponsor: Representative Flanagan, providing for taxation of open space, agricultural, and timber lands, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Benitz, Bluechel, Flanagan, Julin, Kilbury, Kuehnle, Moon, Newhouse, Pardini.

## MOTION

Mr. Newhouse moved that House Bill No. 53 be placed on the second reading calendar.

With the consent of the House, Mr. Newhouse withdrew the motion.

House Bill No. 53 was passed to Committee on Rules for second reading.

March 13, 1973

HOUSE BILL NO. 1005, Prime Sponsor: Representative Conner, prorating inheritance tax collections upon annuities and retirement benefits, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Benitz, Bluechel, Eikenberry, Flanagan, Julin, Kilbury, King, Newhouse, Pardini, Williams.

To Committee on Rules for second reading.

March 9, 1973

HOUSE BILL NO. 1011, Prime Sponsor: Representative Flanagan, providing for assessment of livestock upon

monthly average stock basis, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Benitz, Bluechel, Eikenberry, Flanagan, Kilbury, King, Kuehnle, Moon, Newhouse, Pardini.

To Committee on Rules for second reading.

March 13, 1973

HOUSE BILL NO. 1019, Prime Sponsor: Representative Julin, authorizing the use of certain tax information and records to determine sales and use tax liability, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Benitz, Eikenberry, Flanagan, Julin, Kilbury, King, Kuehnle, Moon, Pardini.

To Committee on Rules for second reading.

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

The Speaker called the House to order.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 294, by Representatives Thompson, Paris, Smith and Kilbury:

Providing for licensing of journeymen electricians.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments see Journal of forty-first day, February 17, 1973.)

The bill was read the second time.

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

House Bill No. 294 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 294 was placed on final passage.

Representatives Thompson and Savage spoke in favor of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 294, and the bill passed the House by the following vote: Yeas, 85; nays, 12; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bluechel, Curtis, Eikenberry, Garrett, Kopet, Kuehnle, Leckenby, Newhouse, Pardini, Polk, Schumaker, Tilly.

Not voting: Representative Zimmerman.

Engrossed House Bill No. 294, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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 bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 418 was placed on final passage.

Mr. Ceccarelli spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 418, and the bill passed the House by the following vote: Yeas, 80; nays, 16; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Eikenberry, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L.,

O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Smythe, Swayze, Thompson, Tilly, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Charnley, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Laughlin, Lysen, North F., Pardini, Shinpoch, Smith, Sommers, Valle, Williams.

Not voting: Representatives Goltz, Polk.

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. 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 bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 442 was placed on final passage.

Mr. Conner spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 442, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 442, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 460, by Representatives Lysen, North (Lois) and Douthwaite:

Authorizing mayors to designate a representative to fill their position on municipal firemen's pension boards.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments see Journal for fifty-fifth day, March 3, 1973.)

The bill was read the second time.

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

House Bill No. 460 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 460 was placed on final passage.

Mr. Lysen spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 460, and the bill passed the House by the following vote: Yeas, 89; nays, 7; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Cunningham, Flanagan, Gilleland, Leckenby, Matthews, Wilson, Zimmerman.

Not voting: Representatives Hayner, Newhouse.

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.

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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 483 was placed on final passage.

Mr. Bagnariol spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 483, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bluechel, Charette.

Not voting: Representative Parker.

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.

HOUSE BILL NO. 668, by Representatives Jastad, Kalich and Savage:

Regulating factory built commercial structures.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 668 was placed on final passage.

Representatives Jastad and Savage spoke in favor of the bill and Representative Bluechel spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 668, and the bill passed the House by the following vote: Yeas, 81; nays, 17; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland,

Goltz, Hansen, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Berentson, Bluechel, Charnley, Cunningham, Eikenberry, Flanagan, Hansey, Hayner, Kuehnle, Leckenby, Polk, Schumaker, Shipoch, Williams, Zimmerman.

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.

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 second time.

Mr. Kraabel moved adoption of the following amendment:

On page 2, section 1, line 17 after "operation of" strike "school buses or" and after "vehicles" insert "other than vehicles used in transporting persons for hire"

Mr. Kraabel spoke in favor of the amendment, and Mr. Beck spoke against it.

The Speaker called on Mr. O'Brien to preside.

Mr. Newhouse spoke in favor of the amendment.

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

Mr. Amen spoke in favor of adoption of the amendment, and Mr. Perry spoke against it.

Mr. Newhouse spoke again in favor of adoption of the amendment, and Mr. Beck spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kraabel to Engrossed Senate Bill No. 2278, and the amendment was adopted by the following vote: Yeas, 55; nays, 40; not voting, 3.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Eng, Flanagan, Freeman, Garrett, Gilleland, Goltz, Hansey, Hayner, Hendricks, Hoggins, Hurley, Juelling, Julin, Kelley, Kilbury, Kopet, Kraabel,

Kuehnle, Laughlin, Leckenby, Luders, Matthews, McCormick, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Smythe, Sommers, Swayze, Tilly, Valle, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Hansen, Haussler, Jastad, Johnson, Kalich, King, Knowles, Lysen, Martinis, Maxie, May, Moon, O'Brien, Perry, Savage, Shinpoch, Smith, Thompson, Van Dyk, Wojahn.

Not voting: Representatives Parker, Warnke, and Mr. Speaker.

Mr. Newhouse moved adoption of the following amendment:

On page 2, section 1, line 15 after "fault" strike all material down to and including "employment" on line 19

Mr. Newhouse spoke in favor of the amendment, and Representatives Beck and Perry spoke against it.

#### POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Leckenby.

Mr. Leckenby: "Mr. Ceccarelli, would passage of this amendment have a tendency to increase or decrease insurance rates to the general public?"

Mr. Ceccarelli: "I don't think it would have any bearing on insurance rates. Really what the bill lends itself to, is occupational driving. We are just saying that there are some drivers who go home and abuse themselves on weekends, but Monday morning they are on the job, and they drive perfectly well, and that is what this applies itself to."

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

Mr. Newhouse spoke again in favor of the amendment, and Mr. Douthwaite spoke against it.

The amendment by Mr. Newhouse was not adopted.

Engrossed Senate Bill No. 2278 as amended by the House was passed to Committee on Rules for third reading.

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 second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2287 was placed on final passage.

Mr. Bauer spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2287, and the bill passed the House by the following vote: Yeas, 78; nays, 19; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Beck, Cunningham, Eikenberry, Garrett, Gilleland, Hayner, Hendricks, Jueling, Julin, Kopet, Kuehnle, Matthews, Pardini, Polk, Pullen, Schumaker, Swayze, Tilly.

Not voting: Mr. Speaker.

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.

#### MOTIONS

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

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Thursday, March 15, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 15, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Williams who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Howard Perry of St. John's Episcopal Church of Olympia.

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

## SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House former State Representative Virgil R. Lee of Lewis County and requested that Representatives Jastad and Kalich conduct him to a place on the rostrum.

## MESSAGE FROM THE SENATE

March 14, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2095,  
ENGROSSED SENATE BILL NO. 2306,  
ENGROSSED SENATE BILL NO. 2392,  
SUBSTITUTE SENATE BILL NO. 2407,  
ENGROSSED SENATE BILL NO. 2425,  
SENATE JOINT MEMORIAL NO. 118,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1037, by Representative Kilbury:

AN ACT Relating to agriculture.

To Committee on Agriculture.



HOUSE BILL NO. 1038, by Representative Kilbury:

AN ACT Relating to agriculture.

To Committee on Agriculture.

HOUSE BILL NO. 1039, by Representative Kilbury:

AN ACT Relating to water rights.

To Committee on Agriculture.

HOUSE BILL NO. 1040, by Representative Kilbury:

AN ACT Relating to water rights.

To Committee on Agriculture.

HOUSE BILL NO. 1041, by Representative Kilbury:

AN ACT Relating to agriculture.

To Committee on Agriculture.

HOUSE BILL NO. 1042, by Representatives Johnson, Hansen and Van Dyk:

AN ACT Relating to water rights; amending section 13, chapter 284, Laws of 1969 ex. sess. and RCW 90.14.041; amending section 18, chapter 284, Laws of 1969 ex. sess. and RCW 90.14.091; amending section 19, chapter 284, Laws of 1969 ex. sess. and RCW 90.14.101; and adding a new section to chapter 90.14 RCW.

To Committee on Ecology.

HOUSE BILL NO. 1043, by Representative Kilbury:

AN ACT Relating to agriculture.

To Committee on Agriculture.

HOUSE BILL NO. 1044, by Representatives Bluechel, Bagnariol and Berentson:

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.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1045, by Representatives Gilleland, Conner, McCormick, Freeman and Beck:

AN ACT Relating to motor vehicle tow trucks; adding a new

chapter to Title 81 RCW; creating new sections; providing penalties; and making an effective date.

To Committee on Transportation and Utilities.

HOUSE JOINT RESOLUTION NO. 37, by Representative Randall:

Relating to revenue and taxation.

To Committee on Ways and Means - Revenue.

HOUSE JOINT RESOLUTION NO. 38, by Representative Williams:

Relating to state government.

To Committee on State Government.

HOUSE CONCURRENT RESOLUTION NO. 34, by Representative Randall:

Relating to education.

To Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 35, by Representatives Parker, Smythe and Adams:

Authorizing a study of VD and its detection, treatment and prevention.

To Committee on Social and Health Services.

HOUSE CONCURRENT RESOLUTION NO. 36, by Representative Randall:

Relating to revenue and taxation.

To Committee on Ways and Means - Revenue.

HOUSE CONCURRENT RESOLUTION NO. 37, by Representatives Martinis, Laughlin and Zimmerman:

Authorizing study of Chinook salmon fishing on the Columbia river.

To Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 38, by Representatives Martinis, Lysen, Bausch, Kilbury, Kalich, Adams, Clemente, Hansey, Gilleland and Schumaker:

Authorizing a study of off-reservation hunting and fishing rights.

To Committee on Natural Resources.

ENGROSSED 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.

To Committee on Local Government.

ENGROSSED 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 amending section 36.32.200, chapter 4, Laws of 1963 and RCW 36.32.200.

To Committee on Local Government.

ENGROSSED 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.

To Committee on Education.

SUBSTITUTE SENATE BILL NO. 2407, by Committee on Higher Education (Originally sponsored by Senators Sandison, Atwood, Durkar 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.

To Committee on Higher Education.

ENGROSSED 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.

To Committee on Constitution and Elections.

SENATE JOINT MEMORIAL NO. 118, by Senators Ridder, Fleming, Connor and Dore:

Memorializing Congress with respect to Seattle's public service hospital.

To Committee on Social and Health Services.

#### MOTION

On motion of Mr. Thompson, all bills, memorials and resolutions listed on today's agenda on the fourth order of business were referred to the committees so designated.

#### REPORTS OF STANDING COMMITTEES

March 14, 1973

HOUSE BILL NO. 13, Prime Sponsor: Representative Kilbury, establishing open primary elections, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Conner, Eng, Erickson, Knowles, Maxie.

MINORITY recommendation: Do not pass. Signed by Representatives Barden, Brown, Hayner.

March 12, 1973

HOUSE BILL NO. 451, Prime Sponsor: Representative Ceccarelli, providing reciprocal osteopathic licensing, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Fortson, Freeman, Hendricks, Johnson, Matthews, Paris, Rabel, Zimmerman.

March 14, 1973

HOUSE BILL NO. 575, Prime Sponsor: Representative Charnley, directing county prosecutors and the attorney general to present cases of election error and fraud to the courts, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barden, Brown, Conner, Erickson, Hayner, Knowles, Maxie.

March 14, 1973

HOUSE BILL NO. 617, Prime Sponsor: Representative Charnley, providing for a public list of absentee ballot applications, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barden, Brown, Conner, Eng, Erickson, Hayner, Knowles, Maxie.

March 14, 1973

HOUSE BILL NO. 698, Prime Sponsor: Representative King, 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 Representatives King, Chairman; Fortson, Vice Chairwoman; Barden, Brown, Conner, Erickson, Hayner, Knowles, Maxie.

March 13, 1973

HOUSE BILL NO. 766, Prime Sponsor: Representative Kopet, 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 2, section 1, line 20 after "18.32 RCW, a" strike "chiropracist" and insert "podiatrist"

On page 3, section 3, line 23 after "18.32 RCW, a" strike "chiroprapist" and insert "podiatrist"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Fortson, Freeman, Hendricks, Jastad, Johnson, Kelley, Matthews, Savage, Zimmerman.

March 14, 1973

HOUSE BILL NO. 847, Prime Sponsor: Representative Paris, repealing certain limitations on county legal aid programs, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Blair, Kuehnle, Laughlin, Nelson, North (Frances), North (Lois), Paris, Patterson, Sommers, Zimmerman.

March 14, 1973

HOUSE JOINT MEMORIAL NO. 15, Prime Sponsor: Representative Zimmerman, 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 Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Conner, Hayner, Knowles, Maxie.

#### MOTION

On motion of Mr. Thompson, all standing committee reports listed on today's fifth order of business were referred to Committee on Rules for second reading.

The Speaker assumed the Chair.

#### MOTION

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

#### RESOLUTION

HOUSE RESOLUTION NO. 73-51, by Representatives Thompson and Paris:

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, the Reynolds Metals Company, the Longview Fibre Company and the 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 Legislature, 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 wishes them well as they move into the second half of their first century.

Mr. Thompson moved adoption of the resolution.

Representatives Thompson and Paris spoke in favor of the resolution, and Representative Eikenberry spoke against it.

The resolution was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House the Mayor Pro Tem of the City of Longview, Mr. Jack McCullough, and the President of the Longview Sandbaggers, Mr. Bob Snyder, and requested that Representatives Thompson, Paris, Jastad and Kalich escort them, along with the other members of the Sandbaggers, to the rostrum.

The Speaker: "Mayor, on behalf of the House of Representatives, I would like to present this House Resolution honoring the City of Longview. We are very proud of the city of Longview and its accomplishments, and also the Representatives you send down here, and on its 50th anniversary, we are happy to honor it."

Mayor McCullough: "Mr. Speaker, members of the House and guests: On behalf of the citizens of Longview, it is a pleasure to express our appreciation of your recognition of the city's 50th anniversary. We are proud of our city, and it is a pleasure to extend a cordial invitation to each of you to attend the 50th anniversary activities which will commence on June 27th and wind up the night of the 4th of July."

Mr. Snyder: "Mr. Speaker, just a brief word about the Sandbaggers. We were formed by the Portland Rainmakers. We are a fun-loving organization which tries to publicize the city of Longview in other than an ordinary way. We, too, would like to extend an invitation to you to come down for our celebration this summer."

The Speaker: "We want to thank you very much for your invitation. I know many of us will accept, and will be down to join you."

The escort committee conducted the Mayor Pro Tem and the Sandbaggers from the rostrum.

#### MOTIONS

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

Mr. Newhouse moved that the Rules Committee be relieved of HOUSE BILL NO. 53, and that it be placed on today's second reading calendar.

Mr. Newhouse spoke in favor of the motion.

#### RULING BY THE SPEAKER

The Speaker: "Representative Newhouse, would you restrict your comments to the motion, please."

Mr. Newhouse concluded his remarks in favor of the motion.

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

Mr. Charette spoke against the motion by Mr. Newhouse.

#### POINT OF ORDER

Mr. Newhouse: "I resent the implications of somebody trying to grab. I think Mr. Charette is impugning the motives of the sponsors of the bill."

The Speaker: "Mr. Charette, would you attempt to keep your remarks within the rules of the House, even though other people may have digressed a little."

Mr. Charette concluded his remarks in opposition to the motion by Mr. Newhouse.

Representatives Amen and Curtis spoke in favor of the motion to place House Bill No. 53 on today's second reading calendar.

#### RULING BY THE SPEAKER

The Speaker: "Mr. Curtis, I wish to draw the attention of the members to Reed's Rule No. 120: 'The motion to commit is debatable, but the merits of the main question are not open to discussion on this motion...' Therefore, what we are talking about is the procedure--whether or not we should hear this at this time. I think the Speaker has been a little too relaxed on how far to allow this discussion. However, when we start talking about House Bill No. 52 and other bills, I think it



is time we go back and abide by Reed's Rule No. 120 and discuss the procedural merits of considering House Bill No. 53 at this time. Mr. Curtis, I am sorry to have singled you out because the other members have gone farther afield than you in this discussion. You may continue."

Mr. Curtis concluded his remarks in favor of the motion.

Mr. Randall spoke against the motion by Mr. Newhouse, and Representatives Pardini and Swayze spoke in favor of it.

Mr. Moon spoke against the motion.

POINT OF ORDER

Mr. Pardini: "In line with your recent statement on Reed's Rule No. 120, I think that Representative Moon is moving far afield in saying that this is a political motion. Since you have called the attention of the members to that particular rule, I think the debate has centered around the motion--merits of the bill. I hope that Mr. Moon can keep his remarks in that same vein."

The Speaker: "I had the same concern, Representative Pardini, until Representative Moon started talking about the responsibilities of the majority, and I would like to listen to the remainder of his remarks."

Mr. Moon concluded his remarks in opposition to the motion.

PERSONAL PRIVILEGE

Mr. Luders: "Mr. Speaker, for over sixty days now I have heard references from over there about people on this side of the aisle. I would like to have it understood that those of us on this side of the aisle are not entirely different from those on that side of the aisle."

The Speaker: "Representative Luders, your point is well taken."

Mr. Flanagan spoke in favor of the motion.

Mr. Newhouse spoke again in favor of the motion, and Mr. O'Brien spoke against it.

Mr. Pullen spoke in favor of the motion by Mr. Newhouse.

RULING BY THE SPEAKER

The Speaker: "Representative Pullen, would you confine your remarks to the procedural question of placing this on the calendar rather than the merits of the bill."

Mr. Pullen concluded his remarks.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Newhouse to relieve the Rules Committee of House Bill No. 53 and place it on today's second reading calendar, and the motion was lost by the following vote: Yeas, 44; nays, 53; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Van Dyk, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representative Williams.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

## SECOND READING

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 House resumed consideration of Engrossed Substitute Senate Bill No. 2113 on second reading.

## MOTION

Mr. Parker moved that the rules be suspended in order to consider the amendment on the desk to strike the House committee amendment to page 2, section 4, beginning on line 16 of the engrossed bill, and inserting the amendment that is on the members' desks.

Mr. Parker: "Mr. Speaker, as a matter of explanation, in order to strike a House committee amendment, we have to suspend the rules. That was the technical problem we ran into yesterday, and I would hope that you support this. The amendments that are on the desk are the report of the Free Conference Committee, and we would simply like to have these amendments attached to the bill and send them to the Senate. I'm sure Mr. Newhouse agrees, since he is a cosponsor of the amendments."

Mr. Newhouse concurred in Mr. Parker's remarks.

The motion by Mr. Parker was carried.

The House resumed consideration of the following amendment by Representatives Parker and Newhouse:

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."

Mr. Douthwaite moved adoption of the following amendment by Representatives Douthwaite and Julin to the amendment by Representatives Parker and Newhouse:

Strike the last sentence of the amendment.

#### POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, the wording of the original amendment is an amendment to the House committee amendment, and I would think that a second series of amendments would be precluded. An amendment to an amendment is as far as we can go."

#### RULING BY THE SPEAKER

The Speaker: "Representative Newhouse, in regard to your point of order, the Speaker is ruling that the bill was amended by the body when it was before us on February 28. This is a new amendment, which is striking the amendment. Therefore, it would be treated as an amendment rather than an amendment to the committee amendment, since the other one had already been adopted and is now really a part of the bill. I know this is a little different procedure than we have used before, but I think this is how we have to approach it."

Representatives Douthwaite, Matthews and Julin spoke in favor of the amendment to the amendment, and Representatives Parker and Newhouse spoke against it.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Moon.

Mr. Moon: "Representative Newhouse, there seems to

be some conflict here as to whether this osteopath will serve on an eleven-member advisory committee or a five-member health commission. The amendment you have presented says he will replace a hospital representative on the commission. As I read the bill, there is no mandate that there be a hospital representative on the commission. The eleven-member advisory committee already has an osteopath. If you will check on page 4, section 8, line 24, there are '...five members who shall be representative of the interest of investor-owned, district, not-for-profit, osteopathic, and university hospitals.' So the osteopaths already are represented on this eleven-member advisory committee. Now the make-up of the commission as you have proposed in your amendment doesn't specify that any member shall be a hospital representative, so I can't see any need at all for that last sentence. Can you explain why?"

Mr. Newhouse: "Mr. Moon, I make no apologies for the language here, and I suspect maybe you and I could get together and write better language. I just would point out that there are five members including representatives of hospitals, and that this language is not really very consequential in the whole bill, which is a very important bill. The importance of the situation where you have hospitals, doctors, and the general public getting together and saying, 'Yes, we do agree that there shall be a rate commission established'--you have come a long way. If this is an integral part of that agreement, I can't find any great objection to that wording. I think it is a reasonable protection for the osteopathic hospitals. I would point out one misstatement. It is not necessarily an osteopath who would be that representative. He might be the manager of an osteopathic hospital."

Representatives Moon, Charette and Adams spoke against the adoption of the amendment to the amendment.

The amendment by Representatives Douthwaite and Julin to the amendment by Representatives Parker and Newhouse to Engrossed Substitute Senate Bill No. 2113 was lost on a rising vote.

The Speaker stated the question before the House to be the amendment by Representatives Parker and Newhouse, and the amendment was adopted.

On motion of Mr. Parker, the following amendments by Representatives Parker and Newhouse were adopted:

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 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 8C.24 RCW" and insert "hospital commission account in the general fund which is hereby created"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2113 as amended by the House was placed on final passage.

Mr. Parker spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2113 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 11; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barden, Cunningham, Eikenberry, Freeman, Hayner, Kuehnle, Polk, Pullen, Schumaker, Tilly, Zimmerman.

Not voting: Representative Williams.

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.

HOUSE BILL NO. 374, by Representatives Luders, Bausch, Bauer, Zimmerman, Laughlin and Morrison:

Providing for certification of operators of water supply systems.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments see Journal for forty-first day, February 17, 1973.)

The bill was read the second time.

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

House Bill No. 374 was ordered engrossed.

On motion of Mr. Conner the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 374 was placed on final passage.

Mr. Luders spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 374, and the bill passed the House by the following vote: Yeas, 89; nays, 8; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Flanagan, Hansey, Jueling, Kuehnle, North F., Schumaker.

Not voting: Representative Williams.

Engrossed House Bill No. 374, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House reverted to the third order of business.

## MESSAGES FROM THE SENATE

March 15, 1973

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2037,

SENATE BILL NO. 2287,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

March 13, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 137 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, nontransparent panels in buildings which are completed prior to the effective date of this amendatory act shall not be subject to the provisions of this 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"

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"

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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mrs. Wojahn, the House concurred in the Senate amendments to Engrossed House Bill No. 137.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 137 as amended by the Senate.

Representatives O'Brien and Kuehnle spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 137 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Williams.

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.

## SENATE AMENDMENT TO HOUSE BILL

March 13, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 287 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." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Bauer, the House concurred in the Senate amendment to House Bill No. 287.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 287 as amended by the Senate.



## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 287 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnl, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives North L., Williams.

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.

## SENATE AMENDMENTS TO HOUSE BILL

March 13, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 364 with the following amendments:

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 last amended by section 2, chapter 138, Laws of 1967 and RCW 18.71.096"

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 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."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mrs. Wojahn moved that the House do concur in the Senate amendments to House Bill No. 364.

## PARLIAMENTARY INQUIRY

Mr. Swayze: "Mr. Speaker, is there, in fact, additional amendments other than those printed on the agenda?"

The Speaker: "No, the amendments that we have on the desk are the same as those printed on your sheet."

## PARLIAMENTARY INQUIRY

Mrs. Wojahn: "I have two amendments here that are acceptable. There was a third amendment that has been withdrawn, I understand, by the Senate. Would the Clerk read the last line of the amendments we are voting on?"

The Speaker: "If you will refer to page three of your calendar for the day, Representative Wojahn, they are at the top of the page. One is a title amendment, and the other is an amendment to page two."

The motion by Mrs. Wojahn was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 364 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 364 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barden, Berentson, North L., Pardini, Williams.

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 Mr. Charette, the House advanced to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

March 14, 1973

HOUSE BILL NO. 519, Prime Sponsor: Representative Lysen, increasing port commissioners in class AA county districts from five to nine, reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass.

Signed by Representatives Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Blair, Kuehnle, Laughlin, Nelson, North (Frances), North (Lois), Patterson, Sommers, Zimmerman.

To Committee on Rules for second reading.

March 14, 1973

HOUSE JOINT MEMORIAL NO. 21, Prime Sponsor: Representative Nelson, 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 Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Fortson, Jastad, Johnson, Kelley, May, Savage, Wojahn.

To Committee on Rules for second reading.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SUBSTITUTE SENATE BILL NO. 2037,  
SENATE BILL NO. 2287.

## MOTIONS

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

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Friday, March 16, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 16, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

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

## MESSAGE FROM THE SENATE

March 15, 1973

Mr. Speaker:

The Senate has passed:

REENGROSSED SENATE BILL NO. 2101,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2346,  
ENGROSSED SENATE BILL NO. 2488,  
and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1046, by Representatives Gaspard, Barden, Bagnariol and Eikenberry:

AN ACT Relating to property taxation.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1047, by Representatives Newhouse, Haussler and Pardini:

AN ACT Relating to public funds; and amending section 12, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.120.

To Committee on Financial Institutions.

HOUSE BILL NO. 1048, by Representatives Gilleland, Martinis, Cunningham, Charnley and Blair:

AN ACT Relating to the Puget Sound ferry operations account; amending section 4, chapter 24, Laws of 1972 ex. sess. and RCW 47.60.540; and declaring an emergency.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1049, by Representatives Parker and Savage:

AN ACT Relating to industrial insurance; amending section 26, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.010; amending section 27, chapter 289, Laws of 1971 ex. sess. as amended by section 16, chapter 43, Laws of 1972 ex. sess. and RCW 51.14.020; amending section 28, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.030; and adding a new section to chapter 51.14 RCW.

To Committee on Labor.

HOUSE BILL NO. 1050, by Representatives Gaspard, Barden, Bagnariol and Eikenberry:

AN ACT Relating to property taxation.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1051, by Representatives Johnson, Thompson and Wojahn:

AN ACT Relating to employees of school districts; and amending section 3, chapter 10, Laws of 1972 ex. sess. and RCW 28A.58.100.

To Committee on Education.

HOUSE BILL NO. 1052, by Representative Bauer:

AN ACT Relating to education.

To Committee on Education.

HOUSE BILL NO. 1053, by Representative Perry:

AN ACT Relating to state government; and creating a new section.

To Committee on State Government.

HOUSE BILL NO. 1054, by Representatives Berentson, Van Dyk, Hansey and Goltz (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.

To Committee on Social and Health Services.

HOUSE BILL NO. 1055, by Representatives Van Dyk, Charnley, Rabel, Goltz, Kilbury and Lysen:

AN ACT Relating to food; adding new sections to chapter 69.04 RCW; and prescribing penalties.

To Committee on Agriculture.

HOUSE BILL NO. 1056, by Representatives Hoggins, Bauer and Brown:

AN ACT Relating to the election of county sheriff; and adding a new section to chapter 29.21 RCW.

To Committee on Local Government.

HOUSE BILL NO. 1057, by Representative Pullen:

AN ACT Relating to and regulating the practice of geology; adding a new chapter to Title 18 RCW; and providing penalties.

To Committee on Commerce.

HOUSE JOINT MEMORIAL NO. 22, by Representatives Gaines, Kilbury, Laughlin, Warnke, Gaspard, McCormick and May:

Asking Congress to critically review the proposed merger of the Milwaukee Road into the Burlington Northern complex.

To Committee on Transportation and Utilities.

HOUSE CONCURRENT RESOLUTION NO. 39, by Representatives Bauer, Ellis, Hoggins, Luders, Smythe and Brown:

Providing for a study of bilingual and bicultural educational needs and programs.

To Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 40, by Representative Bauer:

Relating to education.

To Committee on Education.

REENGROSSED 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.

To Committee on Labor.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2346, by Committee on Ways and Means (Originally sponsored 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 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; 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 3, 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 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.

To Committee on Ways and Means - Revenue.

ENGROSSED 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.

To Committee on Judiciary.

#### MOTION

Mr. Charette moved that all bills, memorials and resolutions listed on today's agenda under the fourth order of business be referred to the committees so designated with the exception of HOUSE BILL NO. 1056, to be referred to the Committee on Constitution and Elections rather than the Committee on Local Government.

The motion was carried.

#### REPORTS OF STANDING COMMITTEES

March 14, 1973

HOUSE BILL NO. 376, Prime Sponsor: Representative Gallagher, creating an investment advisory committee and providing for the investment of certain public funds, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 14 after "12 and" strike "17" and insert "16"

On page 2, section 2, line 32 after "12 and" strike "17" and insert "16"

On page 5, section 4, line 2 after "section 12" insert "and section 15"

On page 6, section 7, line 33 after "consist of" strike "six" and insert "seven"

On page 7, section 7, line 20 after "made." add a new subsection as follows:

"(3) One member of the Public Pension Commission who shall be one of the members appointed by the Governor and who shall be appointed to the investment advisory committee by the members of the Public Pension Commission for a two-year term from July 1 of each odd-numbered year."

On page 11, section 12, line 13 after "firms" insert "or the trust department of a national or state chartered commercial bank having its principal office or a branch in this state"

On page 11, section 12, line 20 after "boards." insert "Nothing in the preceding sentence shall be deemed to apply to the marketing of bonds, notes or other obligations of the United States or any agency thereof, or of a state or any municipal or political subdivision thereof by a bank in the normal course of its business."

On page 14, immediately following section 19 add a new section to read as follows:

"NEW SECTION. Sec. 20. 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."

Renumber the remaining section consecutively

In line 22 of the title, after "43.84.011;" insert "creating a new section;"

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Curtis, Ehlers, Gaines, Hendricks, Kopet, Moon, Perry, Polk.

March 14, 1973

HOUSE BILL NO. 720, Prime Sponsor: Representative Shinpoch, 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 25 after "of" and before "members" strike "seven" and insert "ten"

On page 3, section 5, line 27 after "government;" and before "one" insert "the state commissioner of public lands; the state auditor; the state superintendent of public instruction;"

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bluechel, Cunningham, Curtis, Ehlers, Gaines, Hendricks, Kopet, Moon, Perry, Polk.

March 15, 1973

HOUSE BILL NO. 764, Prime Sponsor: Representative Polk, setting up an educational accountability system of common schools, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 10 after "education" insert "in grades one through eight"

On page 3, beginning on line 22 strike all of section 6 and insert the following:

"NEW SECTION. Sec. 6. Phase II shall commence only after the successful completion of Phase I as jointly determined by the state-wide educational accountability advisory committee and the state-wide educational technical advisory committee established in section 5 of this 1973 act. Phase II shall be the systematic installation and operation of the educational accountability system in the common school districts of this state with the goal of full implementation in all school districts by June 30, 1978. The state superintendent of public instruction shall transmit a report of its activities in implementing this chapter no later than January 15, 1979, to the legislature."

Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender, Brown, Clemente, Fortson, Hayner, Hendricks, Polk, Pullen, Tilly, Warnke.

March 15, 1973

HOUSE JOINT MEMORIAL NO. 19, Prime Sponsor: Representative Luders, memorializing Congress to discontinue the proposed Asotin Dam project, reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Luders, Chairman; Smith, Vice Chairman; Bauer, Charnley, Douthwaite, Goltz, Kraabel, Nelson, North (Lois), Pullen, Valle, Wilson, Zimmerman.

March 14, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2365, Prime Sponsor of original bill: Senator Durkan, regulating emergency medical care and health services, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

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 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 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.

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 10, section 17, line 2 of the engrossed bill, being line 1 of the printed substitute bill, after "driver and" insert "he"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Fortson, Freeman, Hendricks, Kelley, Matthews, Paris, Savage, Wojahn, Zimmerman.

## MOTION

Mr. Charette moved that all standing committee reports listed on today's fifth order of business be referred to Committee on Rules for second reading with the

exception of HOUSE BILL NO. 764, to be rereferred to the Committee on Ways and Means - Appropriations.

The motion was carried.

#### 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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 438 was placed on final passage.

Mr. Ceccarelli spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 438, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Laughlin.

Not voting: Representatives Bausch, Julin, Kraabel, Kuehnle, Perry, Randall, Van Dyk, Warnke, Williams.

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.

HOUSE BILL NO. 463, by Representatives Berentson, Van Dyk, Hansey and Charette:

Authorizing port district studies on industrial development.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments see Journal for forty-first day, February 17, 1973.)

The bill was read the second time.

Mr. Haussler moved adoption of the first committee amendment.

Representatives Haussler and Berentson spoke in favor of adoption of the committee amendment, and Representatives Martinis and Hansen spoke against it.

#### MOTION

On motion of Mr. Charette, the House deferred further consideration of House Bill No. 463 on second reading, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 492, by Representative 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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 492 was placed on final passage.

Mr. Kuehnle spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 492, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hayner, Hendricks, Hogins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hansen, Kraabel, Morrison, Perry, Smythe.

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.

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.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments see Journal for forty-second day, February 18, 1973.)

The bill was read the second time.

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

On motion of Mr. Swayze, the following amendment was adopted:

On page 1, line 16 insert a new section to read as follows:

"NEW SECTION. Section 1. Section 10, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.230 are each amended to read as follows:

No examination will be given unless the applicant has one year within the three years immediately preceding application of full time experience in the handling of escrow transactions or in comparable or allied fields, as may be determined from time to time by the escrow commission; and the applicant must be ~~((twenty-one))~~ eighteen years of age or older.

Completion of ~~((college level))~~ post high school educational courses of the nature and extent prescribed by the escrow commission may be substituted for the experience requirement."

Renumber the remaining sections consecutively.

On motion of Mr. Ceccarelli, the committee amendment to the title was adopted.

On motion of Mr. Swayze, the following amendment to the title was adopted:

On line 1 of the title after the semicolon insert "amending section 10, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.230;"

House Bill No. 531 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 531 was placed on final passage.

Mr. Bargnariol spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 531, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Perry.

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.

HOUSE BILL NO. 741, by Representatives Chatalas, Curtis, Swayze, Charette, Wojahn and Pardini:

Requiring continuing education for CPA's.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal for fifty-fourth day, March 2, 1973.)

The bill was read the second time.

On motion of Mrs. Wojahn, the committee amendments were adopted.

House Bill No. 741 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 741 was placed on final passage.

Mr. Chatalas spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 741, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis,

Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Amen.

Not voting: Representatives Perry, and Mr.

Speaker.

Engrossed House Bill No. 741, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 993, by Representatives Valle, Rabel, Adams, Warnke, Kraabel, Eng, Kilbury, Swayze, Ceccarelli, Charnley, Douthwaite, Ehlers, Ellis, Matthews and Maxie:

Relating to flammable fabrics.

#### MOTION

On motion of Mr. Charette, the House deferred consideration of House Bill No. 993, and the bill was ordered placed at the bottom of today's second reading calendar following House Bill No. 463.

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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Joint Memorial No. 6 was placed on final passage.

Mrs. Wojahn spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 6, and the memorial passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette,

Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Polk.

Not voting: Representative Perry.

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

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.

The memorial was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Joint Memorial No. 7 was placed on final passage.

Mr. Eng spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 7, and the memorial passed the House by the following vote: Yeas, 89; nays, 5; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Flanagan, Hayner, Kuehnle, Polk.

Not voting: Representatives Benitz, Kraabel, Newhouse, Perry.



House Joint Memorial No. 7, having received the constitutional majority, was declared passed.

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.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment see Journal for forty-first day, February 17, 1973.)

The memorial was read the second time.

On motion of Mr. Adams, the committee amendment was adopted.

House Joint Memorial No. 8 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Joint Memorial No. 8 was placed on final passage.

Mr. Adams spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 8, and the memorial passed the House by the following vote: Yeas, 91; nays, 6; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Hayner, Kuehnle, Polk, Schumaker, Tilly.

Not voting: Representative Kraabel.

Engrossed House Joint Memorial No. 8, having received the constitutional majority, was declared passed.

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.

Committee on Social and Health Services recommendation: Do pass as amended. (For amendment see Journal for forty-first day, February 17, 1973.)

The bill was read the second time.

On motion of Mr. Matthews, the committee amendment was adopted.

House Joint Memorial No. 10 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Joint Memorial No. 10 was placed on final passage.

Mr. Matthews spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 10, and the memorial passed the House by the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Curtis, Flanagan, Hayner, Polk, Pullen, Schumaker.

Not voting: Representatives Benitz, Pardini.

Engrossed House Joint Memorial No. 10, having received the constitutional majority, was declared passed.

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.

The memorial was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Joint Memorial No. 11 was placed on final passage.

Mr. Goltz spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 11, and the memorial passed the House by the following vote: Yeas, 72; nays, 24; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, King, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Eikenberry, Erickson, Flanagan, Garrett, Hansen, Hansey, Hayner, Juelling, Julin, Kuehnle, Leckenby, Morrison, Newhouse, Pardini, Polk, Pullen, Schumaker, Swayze, Tilly, Zimmerman.

Not voting: Representatives Curtis, Smythe.

House Joint Memorial No. 11, having received the constitutional majority, was declared passed.

#### HOUSE JOINT RESOLUTION NO. 17, by Representative Randall:

Amending Article VII of the Constitution relating to revenue and taxation.

#### MOTION

Mr. Thompson moved that the House defer consideration of House Joint Resolution No. 17 and that it be placed on Monday's second reading calendar.

The motion was carried on a rising vote.

#### 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.

Mr. Blair moved adoption of the following amendment:  
On page 1, section 1, line 17 after "PROVIDED," strike all material down to and including "compensation" and insert "That any district providing insurance benefits

for its employees in any manner whatsoever, may provide errors and omissions insurance for its commissioners, which insurance shall not be considered to be compensation"

Mr. Blair spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Blair yielded to question by Mrs. Johnson.

Mrs. Johnson: "Representative Blair, is the intent of your proposed amendment to Senate Bill No. 2176 to limit, totally, coverage to commissioners in the field of errors and omissions insurance only?"

Mr. Blair: "That is correct."

Mrs. Johnson: "This then would really change, totally, the intent of Senate Bill No. 2176?"

Mr. Blair: "As I recall the testimony given in committee, the intent of the bill, basically, was to provide errors and omissions insurance protection--not to give them any additional financial benefit through being given life insurance and health insurance programs, but only to protect them from suits for error in office."

Mrs. Johnson spoke against adoption of the amendment.

The amendment by Mr. Blair was adopted.

#### MOTION FOR RECONSIDERATION

Mr. Chatalas, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Mr. Blair to Senate Bill No. 2176 was adopted.

The motion was carried on a rising vote.

#### RECONSIDERATION

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Mr. Blair to Senate Bill No. 2176.

Mr. Barden spoke in favor of the amendment, and Mrs. Johnson spoke against it.

#### MOTION

On motion of Mr. Newhouse, the House deferred further consideration of Senate Bill No. 2176, and the amendment by Mr. Blair, and the bill was ordered placed on the calendar for the next working day.

ENGROSSED SENATE BILL NO. 2347, by Senators Ridder, Talley and Canfield:

Providing for the issuing of certain bonds by sewer districts.

MOTIONS

On motion of Mr. Thompson, the House deferred consideration of Engrossed Senate Bill No. 2347, and the bill was ordered placed on Monday's second reading calendar.

Mr. Thompson moved that the House do now resume consideration of House Bill No. 463.

HOUSE BILL NO. 463, by Representatives Berentson, Van Dyk, Hansey and Charette:

Authorizing port district studies on industrial development.

PARLIAMENTARY INQUIRY

Mr. Haussler: "I believe that the House was still on the first committee amendment when we deferred this."

The Speaker (Mr. O'Brien presiding): "Yes, that is correct."

Mr. Haussler spoke against adoption of the committee amendment to line 10, and the committee amendment was not adopted.

Mr. Haussler moved adoption of the second committee amendment.

The Clerk read the following amendment by Mr. Martinis to the committee amendment:

On line 2 of the amendment strike "agricultural and"

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

Mr. Haussler spoke in favor of the committee amendment to line 11, and the amendment was adopted.

On motion of Mr. Haussler, the committee amendment to line 16 was adopted.

Mr. Berentson moved adoption of the following amendment by Representatives Berentson and Hansen:

On page 1, section 1, line 17 after "facilities" and before the period insert ": PROVIDED, HOWEVER, That nothing in this section shall authorize a port district to develop its properties as an agricultural or dairy farm"

POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Hoggins.

Mr. Hoggins: "Representative Flanagan, would it be your opinion that this would permit people who have beef farms or feedlots to have the port operate these things? The amendment is restricted to agricultural or dairy farms. How about those people who own feedlots? Are they excluded, in your opinion, from this amendment?"

Mr. Flanagan: "Representative Hoggins, I think if they hadn't said 'or dairy farm' it might have been more apt to have included feedlots. But since they have specified dairy farm, I wonder if they shouldn't also specify feedlot and livestock farm and all those other things."

Mr. Hoggins: "In your opinion then this amendment is faulty?"

Mr. Flanagan: "I think it is somewhat faulty. It probably would be better just to say 'agricultural' without adding the other part in there."

The amendment by Representatives Berentson and Hansen was adopted.

House Bill No. 463 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTION

Mr. Thompson moved that the House do now consider House Bill No. 993 on second reading.

HOUSE BILL NO. 993, by Representatives Valle, Rabel, Adams, Warnke, Kraabel, Eng, Kilbury, Swayze, Ceccarelli, Charnley, Douthwaite, Ehlers, Ellis, Matthews and Maxie:

Relating to flammable fabrics.

#### MOTION

On motion of Mrs. Wojahn, Substitute House Bill No. 993 was substituted for House Bill No. 993, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 993 was read the second time.

Mr. Kuehnle moved adoption of the following amendment:

On page 2, section 4, line 16 after "4." strike all material down to and including "1204" on line 21 and insert "It shall be unlawful to manufacture for retail sale in this state any new and unused article of children's sleepwear which does not comply with the standards established in the Standard for the Flammable Fabrics Act, 15 U.S.C. 1191-1204 and which is not so labeled"

Representative Kuehnle spoke in favor of the amendment, and Representatives Wojahn, Kelley and Valle spoke against it.

Mr. Kuehnle spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Laughlin.

Mr. Laughlin: "I'm not sure that I quite understand your amendment, but if I ask a question, perhaps I will get a little clarity. What you are trying to establish, I believe, is that only the manufacturer would be the party that could be sued in case of some problem with the clothing. Is that correct?"

Mr. Kuehnle: "Actually, Representative Laughlin, I am trying to establish two points. One is, first of all, to restrict the illegality of selling nonconforming material to the retail level, so that we don't louse up the export market; and secondly, to require the manufacturers to properly label the garment and then hold the manufacturers responsible rather than the retail sales clerk."

Mr. Laughlin: "Then I would assume that the only recourse the consumer would have would be to the manufacturer, and I submit if anybody tried to sue a manufacturer here recently, he realizes what problems he is up against. Has Representative Kuehnle ever tried to sue a manufacturer in recent years?"

Mr. Kuehnle: "Yes, as a matter of fact I have, Representative Laughlin, and under the long-arm statute which is available to us in this state, this doesn't present any problem at all. We can require that manufacturer to come to this state to defend himself. He would be brought in, in any event, as a codefendant in an action. If you brought action against a retail sales clerk, or a retailer, he would reach out and bring in that manufacturer as a codefendant. We might just as well bring action against the manufacturer under the long-arm statute in the first place and not harass the sales clerks and the retailers in the process."

Mr. Laughlin: "In the suit you were involved in--did you win it?"

Mr. Kuehnle: "Yes, I did, Representative Laughlin--a national manufacturer in Chicago, Illinois."

Mr. Rabel spoke against adoption of the amendment by Mr. Kuehnle to Substitute House Bill No. 993.

The amendment by Mr. Kuehnle was not adopted.

Mr. Swayze moved adoption of the following amendment:

On page 2, line 29 after "both." strike all material down to and including the period on line 31 and renumber

the remaining sections consecutively.

Representatives Swayze and Charette spoke in favor of adoption of the amendment, and Representatives Kelley and Valle spoke against it.

#### POINT OF INQUIRY

Mrs. Valle: "Mr. Speaker, am I to understand that Mr. Swayze's amendment is line 29, after 'both' strike all material down to and including the period on line 31 and renumber the remaining sections consecutively?"

The Speaker (Mr. O'Brien presiding): "The amendment strikes all of section 7."

Representatives Kelley, Wojahn and King spoke in opposition to the amendment by Mr. Swayze.

The amendment was adopted on a rising vote.

Mr. Kuehnle moved adoption of the following amendment:

On page 3, following section 11, add a new section as follows:

"NEW SECTION. Sec. 12. This act shall take effect on July 1, 1974."

Representative Kuehnle spoke in favor of the amendment, and Representatives Wojahn and Douthwaite spoke against it.

#### POINT OF INQUIRY

Mrs. Valle yielded to question by Mr. Curtis.

Mr. Curtis: "Representative Valle, I guess what I would like to ask you is your position on this amendment. You and I had a discussion. The original bill contained this clause which set back the effective date. Then after this bill was heard in committee, you indicated to me that you were concerned with putting this effective date in as a floor amendment. I guess I should ask, have you reversed that position? Are you supporting this amendment or are you opposed to it?"

Mrs. Valle: "It is true that in the original bill, the effective date was a year later. However, there have been several calls made to Washington, D.C. by numerous people who are interested in this bill. I would support the defeat of this amendment because it simply puts Washington state on record, and we are urging the manufacturers to comply almost immediately. The fact of the matter is that recently Sears voluntarily began manufacturing nonflammable sleepwear from size 7 to 14. The manufacturers are really ready to go. It is the Federal Trade Commission itself that is hanging back, in Washington, D.C. I really think this just puts us on record, so I would urge the defeat of this amendment."



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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to Substitute House Bill No. 993, and the amendment was lost by the following vote: Yeas, 9; nays, 87; not voting, 2.

Voting yea: Representatives Benitz, Berentson, Curtis, Gilleland, Hayner, Kuehnle, Morrison, Newhouse, Schumaker.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bender, Leckenby.

#### EXPLANATION OF VOTE

I voted for the Kuehnle amendment to Substitute House Bill No. 993, which I believed changed the effective date. Please change my vote to "no," and enter in the Journal. I was in the lounge and misunderstood the amendment.

JAMES E. GILLELAND, 48th District.

Substitute House Bill No. 993 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 993 was placed on final passage.

Representatives Valle and Ceccarelli spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 993, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler,

Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Kuehnle.

Engrossed Substitute House Bill No. 993, having received the 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

Mr. Curtis: "I would like to inquire if it is the policy that all questions and answers become a matter of record in the Journal?"

The Speaker (Mr. O'Brien presiding): "It has been the policy, yes."

#### MOTION

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

The Speaker assumed the Chair.

#### SPEAKER'S PRIVILEGE

The Speaker observed in the north gallery the Class AAA wrestling championship team from Clover Park High School and asked them to stand and be recognized.

#### PERSONAL PRIVILEGE

Mr. Kelley: "Mr. Speaker, in light of the events of the past few days regarding resolutions, I chose not to prepare a resolution in this case, but with the indulgence of the House, I would like to take just a brief moment to expand on this team which I did bring down here today. Last year Clover Park placed second in the state wrestling tournament, and they came back this season to be the Class AAA wrestling champions. They did that this year with something that has never been done before in the history of wrestling in this state. They placed five individuals in state championship positions. Today we have four of those five wrestling champions with us. We have George Ratcliffe, Andy Kacmarcik, Geoff Stevens, and Bill Stout. They are here with their coach, Dan Hensley. I feel that this is quite an honor to our district. We are all exceedingly proud of these boys, and I hope you are as proud as we are. Thank you very much."

## THIRD 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.

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

Representatives Newhouse and Morrison spoke in favor of passage of the bill, and Representative Moon spoke against it.

## POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Cunningham.

Mr. Cunningham: "Representative Randall, in Substitute House Bill No. 52, on page 4, section 3, line 9, would it be the legislative intent of this bill, in defining 'normal costs'--'Normal costs shall include but not be limited to a charge equal to a property tax (an appraised value to be established by the county assessor), special levies would be the mills established by the school district in which the property is located, scheduled depreciation with the interest being capitalized, maintenance, and insurance.'?"

Mr. Randall: "During the testimony on the bill and questions that came up, that is the exact intent of the section."

## POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Representative Newhouse, there is a very competitive port situation between the ports of Oregon and the ports of Vancouver, Kalama, Longview, Tacoma, Seattle, Everett, in the field of grain shipments. Oregon does not have a tax on grain in terms of its elevators. Do you feel that there is anything in this particular measure that will be of adverse effect to the competitive nature, or do you feel there is the possibility that there still will be opportunity for competition in the one biggest single thing that the state of Washington ships (as far as agricultural products)--namely, grain?"

Mr. Newhouse: "That is a rather tough question, Mr. Zimmerman. I will try to answer it according to my limited knowledge of the Oregon situation. I suspect that Oregon does have an exemption from property tax for the facilities that are used. Our state also, to my understanding, has an exemption for the product itself--for goods in transit. So the main, or the most expensive item involved, would be the actual commodity, and that, in this state, would be exempt from those terminal facilities. The company, under this

bill, that would lease terminal facilities for use in export would be assessed a tax which would be a somewhat competitive disadvantage, I suppose, to the Oregon situation. On the other hand, we are in a very competitive situation, not just with Oregon, but all around the world, and I suspect that our situation, if we do not put a tax like this on that type of operation, would be unfair to the rest of our operations."

Mr. Zimmerman: "Representative Newhouse, just the fact that the tax would be on the elevator rather than the grain is the point we needed to make. Of course, I think if you would not object, that we should at least consider this competitive factor down the line as to whether we are putting Washington into an unusually unfair situation interstate."

Mr. Newhouse: "I think I would point out, too, that the port itself--those facilities that are actually owned and operated by the port district--are not taxed. It is only those exact facilities that are leased to a commercial operation that would be subject to a tax. Of course, when you compare Oregon's tax, for instance, with ours, you realize that Oregon does have an income tax and we do not, which would be something of a compensating factor."

Representatives O'Brien and Randall spoke in favor of the bill, and Representative Moon spoke again in opposition to it.

#### POINT OF INQUIRY

Mr. Ceccarelli: "Would Representative O'Brien yield to question?"

Mr. O'Brien refused to yield to question.

Mr. Ceccarelli: "The thing I wanted to straighten out here, and I noticed that Mr. O'Brien spoke on behalf of this bill, is this: In my district we have Sea Land Express. Several years ago the Port of Seattle bought two gantry cranes that were over a million dollars apiece. They paid no tax on it. They lease it to Sea Land Express, and Sea Land pays no tax on it. So the people in the 34th District make up a tax on these cranes. Now my question (and if Mr. O'Brien is unable to answer it, maybe someone else can) is: Where in this bill does it correct this inequity?"

Mr. Randall: "In answer to your question, if the lessee is at economic rent--determined by the assessor to be at economic rent--the port district will pick up the in-lieu-of excise tax. If in fact, because of the cranes and the costs, the lessee is not at economic rent, as determined by the assessor under the strict provisions, then the lessee will pay the tax."

Mr. Ceccarelli: "Then I might ask you this question, Representative Randall: Who determines the economic rent?"

Mr. Randall: "The question just earlier addressed to me, referring to page 4, section 3, line 9--it is detailed in the bill that the assessor has the duty to do that under very strict conditions. He must make that assessment level."

Mr. O'Brien: "I would have been very happy to answer Mr. Ceccarelli's question, but Mr. Ceccarelli sort of insulted me not too long ago. He had an article printed in a newspaper that said any time he wanted advice, he always went to my colleague, Mr. Chatalas. So I don't know why he asked me--why didn't he ask Mr. Chatalas?"

Mr. Newhouse: "Partially in answer to your question, Mr. Ceccarelli, I believe your gantry cranes would be considered personal property. This bill, as I understand it, addresses itself to real property, so the situation would not be changed by this bill."

Mr. Williams spoke against passage of the bill, and Mr. Newhouse spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 52, and the bill passed the House by the following vote: Yeas, 59; nays, 39; not voting, 0.

Voting yea: Representatives Amen, Barden, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Flanagan, Freeman, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Jueling, Julin, Kalich, Kelley, Kilbury, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Martinis, Matthews, May, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fortson, Gaines, Gaspard, Johnson, King, Luders, Lysen, Maxie, McCormick, Moon, North F., Parker, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Engrossed Substitute House Bill No. 52, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE BILL NO. 137,  
HOUSE BILL NO. 287,  
HOUSE BILL NO. 364.

## MOTIONS

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

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Saturday, March 17, 1973.

LEONARD A. SAWYER, Speaker.  
DEAN R. FOSTER, Chief Clerk.

## NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, March 17, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Benitz who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Henry J. Rahn of the First Baptist Church of Olympia.

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

## MESSAGES FROM THE SENATE

March 16, 1973

Mr. Speaker:

The Senate has passed:

REENGROSSED SENATE BILL NO. 2183,

ENGROSSED SENATE BILL NO. 2294,

ENGROSSED SUBSTITUTE SENATE BILL NO. 2662,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 16, 1973

Mr. Speaker:

The Senate has adopted the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2113, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1058, by Representatives Williams, Bluechel and Kopet:

AN ACT Relating to state government; abolishing the planning and community affairs agency and replacing it with the office of community development; adding a new chapter to Title 43 RCW; repealing section 1, chapter 74, Laws of 1967 and RCW 43.63A.010; repealing section 2, chapter 74, Laws of 1967 and RCW 43.63A.020; repealing section 3, chapter 74, Laws of 1967 and RCW 43.63A.030; repealing section 4, chapter 74, Laws of 1967 and RCW 43.63A.040;

repealing section 5, chapter 74, Laws of 1967 and RCW 43.63A.050; repealing section 6, chapter 74, Laws of 1967 and RCW 43.63A.060; repealing section 7, chapter 74, Laws of 1967 and RCW 43.63A.070; repealing section 8, chapter 74, Laws of 1967 and RCW 43.63A.080; repealing section 1, chapter 53, Laws of 1969 ex. sess. and RCW 43.63A.085; repealing section 9, chapter 74, Laws of 1967 and RCW 43.63A.090; repealing section 10, chapter 74, Laws of 1967 and RCW 43.63A.100; repealing section 11, chapter 74, Laws of 1967 and RCW 43.63A.110; repealing section 12, chapter 74, Laws of 1967 and RCW 43.63A.120; repealing section 13, chapter 74, Laws of 1967 and RCW 43.63A.130; repealing section 14, chapter 74, Laws of 1967 and RCW 43.63A.140; repealing section 3, chapter 42, Laws of 1967 ex. sess. and RCW 43.63A.150; repealing section 16, chapter 74, Laws of 1967 and RCW 43.63A.900; and declaring an effective date.

To Committee on State Government.

HOUSE BILL NO. 1059, by Representatives Perry, Rabel, Sommers, North (Frances), Fortson, Valle, Eng, Johnson, Wojahn, McCormick, Maxie and North (Lois):

AN ACT Relating to state government; establishing the Washington state women's council; creating a new chapter in Title 43 RCW; declaring an emergency; and providing effective and expiration dates.

To Committee on State Government.

HOUSE BILL NO. 1060, by Representatives Bagnariol, Randall, Sommers and Williams:

AN ACT Relating to revenue and taxation; adding a new section to chapter 84.52 RCW; repealing section 4, chapter 8, Laws of 1970 ex. sess., section 5, chapter 92, Laws of 1970 ex. sess., section 24, chapter 299, Laws of 1971 ex. sess., section 8, chapter 124, Laws of 1972 ex. sess., section 1, chapter 2, Laws of 1973 (Initiative Measure No. 44) and RCW 84.52.050; and declaring an emergency.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1061, by Representatives Wojahn and Parker:

AN ACT Relating to unemployment compensation; amending section 19, chapter 2, Laws of 1970 ex. sess. and RCW 50.04.323; and 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.

To Committee on Labor.



HOUSE BILL NO. 1062, by Representatives Luders and Zimmerman:

AN ACT Relating to the environment; adding new sections to chapter 109, Laws of 1971 ex. sess. and to chapter 43.21C RCW; creating a new section; and declaring an emergency.

To Committee on Ecology.

HOUSE BILL NO. 1063, by Representatives Douthwaite and Kraabel:

AN ACT Relating to metropolitan municipal corporations; amending section 35.58.020, chapter 7, Laws of 1965 as amended by section 2, chapter 303, Laws of 1971 ex. sess. and RCW 35.58.020; amending section 35.58.160, chapter 7, Laws of 1965 and RCW 35.58.160; and amending section 35.58.180, chapter 7, Laws of 1965 as amended by section 6, chapter 105, Laws of 1967 and RCW 35.58.180.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1064, by Representatives Douthwaite and Haussler:

AN ACT Relating to the optional municipal code; amending section 35A.02.020, chapter 119, Laws of 1967 ex. sess. and RCW 35A.02.020; amending section 35A.02.030, chapter 119, Laws of 1967 ex. sess. and RCW 35A.02.030; amending section 35A.02.050, chapter 119, Laws of 1967 ex. sess. as last amended by section 1, chapter 251, Laws of 1971 ex. sess. and RCW 35A.02.050; amending section 35A.02.130, chapter 119, Laws of 1967 ex. sess. and RCW 35A.02.130; amending section 35A.06.030, chapter 119, Laws of 1967 ex. sess. as amended by section 13, chapter 251, Laws of 1971 ex. sess. and RCW 35A.06.030; amending section 35A.06.050, chapter 119, Laws of 1967 ex. sess. and RCW 35A.06.050; amending section 35A.06.060, chapter 119, Laws of 1967 ex. sess. and RCW 35A.06.060; amending section 35A.12.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.010; amending section 35A.12.030, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.030; amending section 35A.12.040, chapter 119, Laws of 1967 ex. sess. as amended by section 3, chapter 52, Laws of 1970 ex. sess. and RCW 35A.12.040; amending section 35A.12.110, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.110; amending section 35A.13.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.13.010; amending section 35A.13.170, chapter 119, Laws of 1967 ex. sess. and RCW 35A.13.170; amending section 35A.14.220, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.220; amending section 35A.29.110, chapter 119, Laws of 1967 ex. sess. as amended by section 4, chapter 52, Laws of 1970 ex. sess. and RCW

35A.29.110; and declaring an emergency.

To Committee on Local Government.

HOUSE BILL NO. 1065, by Representatives Hayner, Eikenberry, Knowles and Pullen:

AN ACT Relating to administrative procedures; and amending section 12, chapter 234, Laws of 1959 and RCW 34.04.120.

To Committee on Judiciary.

HOUSE BILL NO. 1066, by Representative Savage:

AN ACT Relating to negotiations with certain personnel employed by school districts and community college districts; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.72 RCW; adding a new section to chapter 196, Laws of 1971 ex. sess. and to chapter 28B.52 RCW; creating a new section; and declaring an emergency.

To Committee on Labor.

HOUSE BILL NO. 1067, by Representatives Douthwaite and Haussler:

AN ACT Relating to police courts in third class cities and towns; adding a new section to chapter 35.24 RCW; adding a new section to chapter 35.27 RCW; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1068, by Representatives Savage and Conner:

AN ACT Relating to state government; creating a department of correctional 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; adding a new chapter to Title 72 RCW; declaring an emergency; and making an effective date.

To Committee on State Government.

HOUSE BILL NO. 1069, by Representatives Lysen, Warnke, Sommers, Erickson, Williams, Flanagan and Hansen:

AN ACT Relating to port districts; amending section 2, chapter 65, Laws of 1955 and RCW 53.08.010; 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; and amending section 1, chapter 265, Laws of 1957 and RCW 53.36.100.

To Committee on Local Government.

HOUSE JOINT RESOLUTION NO. 39, by Representative Pardini:

Pertaining to tax reform.

To Committee on Ways and Means - Revenue.

HOUSE CONCURRENT RESOLUTION NO. 41, by Representatives Swayze, Morrison, Newhouse, Pardini, Curtis, Eikenberry, North (Lois), Barden, Jueling, Flanagan, Hendricks, Patterson, Polk, Wilson, Schumaker, Hoggins, Berentson, Bluechel, Brown, Benitz, Paris, Hansey, Gilleland, Matthews, Hayner, Pullen, Cunningham, Garrett, Freeman, Leckenby, Kuehnle, Amen, Julin, Rabel, Kopet, Smythe, Zimmerman and Tilly:

Providing cut-off and adjournment dates for the special session.

To Committee on State Government.

REENGROSSED 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; prescribing penalties; and creating a new section.

To Committee on Labor.

ENGROSSED 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.

To Committee on State Government.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2662, by Committee on Parks and Recreation (Originally sponsored 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 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; 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 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; repealing section 8, chapter 327, Laws of 1959 and RCW 70.88.080; defining crimes; and prescribing penalties.

To Committee on Parks and Recreation.

#### MOTIONS

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

Mr. Swayze moved to amend the motion and exclude HOUSE CONCURRENT RESOLUTION NO. 41.

Mr. Swayze spoke in favor of the motion, and Mr. Charette spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Swayze to exclude House Concurrent Resolution No. 41 from the motion by Mr. Thompson, and the motion was lost by the following vote: Yeas, 41; nays, 55; not voting, 2.

Voting yea: Representatives Amen, Barden, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Shipoch, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

Not voting: Representatives Benitz, and Mr. Speaker.

The motion by Mr. Thompson to refer the bills, memorials and resolutions to the committees designated on the agenda was carried.

## REPORTS OF STANDING COMMITTEES

March 16, 1973

HOUSE BILL NO. 10, Prime Sponsor: Representative Ehlers, providing that disclaimer of warranties in the sale of consumer goods shall be ineffective, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Maxie, Shinpoch, Smith, Sommers.

March 16, 1973

HOUSE BILL NO. 424, Prime Sponsor: Representative Knowles, providing that clerks of superior courts shall not collect a fee for official services when a petition for relinquishment of parental rights is filed, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers, Swayze.

March 16, 1973

HOUSE BILL NO. 425, Prime Sponsor: Representative Knowles, defining certain duties of the district court clerk, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers, Swayze.

March 16, 1973

HOUSE BILL NO. 458, Prime Sponsor: Representative Pardini, amending the partial benefit formula for unemployment compensation, reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, Cunningham, Freeman, Kopet, Matthews, May, Morrison, Parker.

March 16, 1973

HOUSE BILL NO. 581, Prime Sponsor: Representative Julin, implementing laws relating to deeds of trust, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers, Swayze.

March 16, 1973

HOUSE BILL NO. 648, Prime Sponsor: Representative Thompson, implementing the law of industrial insurance, reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, May, Parker.

March 16, 1973

HOUSE BILL NO. 662, Prime Sponsor: Representative Parker, relating to liability of persons withdrawing blood, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 10 after "person" insert "who is unconscious or otherwise then incompetent to consent,"

On page 1, section 1, line 14 after "person" insert "or institution"

On page 1, section 1, line 15 after "negligence" insert a period and strike the remainder of the sentence

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers, Swayze.

March 16, 1973

HOUSE BILL NO. 785, Prime Sponsor: Representative Conner, increasing the minimum wage, reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 10 after "as may" strike the remainder of the section and insert "one dollar and ((forty)) sixty cents per hour except as may be otherwise provided under this chapter: PROVIDED, That beginning the calendar year ((1968)) 1974, the applicable rate under this section shall be one dollar and ((~~sixty~~) eighty cents per hour, and beginning the calendar year 1975 the applicable rate under this section shall be two dollars an hour."

Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, May, Parker.

March 15, 1973

HOUSE BILL NO. 862, Prime Sponsor: Representative Luders, making certain changes in the state air pollution control laws, reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Luders, Chairman; Smith, Vice Chairman; Beck, Douthwaite, Goltz, Kraabel, Nelson, North (Lois), Pullen, Valle, Wilson, Zimmerman.

March 15, 1973

HOUSE BILL NO. 944, Prime Sponsor: Representative Kelley, permitting nursing homes to offer out-patient services, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman, Parker, Vice Chairman, Cunningham, Ellis, Fortson, Freeman, Hendricks, Kelley, Matthews, May, Paris, Savage, Zimmerman.

March 15, 1973

HOUSE BILL NO. 946, Prime Sponsor: Representative Matthews, 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. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Fortson, Freeman, Hendricks, Kelley, Matthews, Paris, Savage, Zimmerman.

March 16, 1973

HOUSE BILL NO. 962, Prime Sponsor: Representative Ehlers, revising the law relating to industrial welfare, reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 3, line 6 after "detrimental to" strike "~~((their)) his~~" and insert "their"

On page 3, immediately following section 3, add a new section as follows:

"Sec. 4. Section 43.22.280, chapter 8, Laws of 1965 and RCW 43.22.280 are each amended to read as follows:

The director of labor and industries, the supervisor of industrial insurance, the supervisor of industrial relations, the supervisor of safety, the industrial statistician, and the supervisor of ~~((women in industry))~~ employment standards shall constitute the industrial welfare committee, of which the director shall be chairman,

and supervisor of ((women in industry)) employment standards shall be executive secretary, which shall exercise such powers and perform such duties as are prescribed by law."

Renumber the remaining sections consecutively

On page 6, strike all of the old section 11 and renumber the remaining sections consecutively

Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, May, Parker.

March 16, 1973

HOUSE JOINT RESOLUTION NO. 11, Prime Sponsor: Representative North (Lois), authorizing court-supervised reapportionment and redistricting, if not done by the legislature, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 14 after "census" strike the comma and the remainder of the paragraph through "district" on line 24

On page 2, line 8 after "redistricting" strike "at the regular session which convenes"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barden, Brown, Conner, Eng, Erickson, Hayner, Maxie, Rabel.

March 15, 1973

ENGROSSED SENATE BILL NO. 2577, Prime Sponsor: Senator Day, prohibiting discrimination against legally recognized and licensed practitioners of health care, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 7 of the engrossed and printed bills, after "that the" strike "cost" and insert "costs"

On page 1, section 1, beginning on line 18 of the engrossed and printed bills, beginning with "prohibiting" strike all of the material down to and including "safety" on line 20 and insert "is necessary"

On pages 1 and 2 of the engrossed and printed bills, strike all of section 2, including the Senate amendments, and insert the following:

"NEW SECTION. Sec. 2. There is added to chapter 48.44 RCW a new section to read as follows:

All contracts for health care services shall provide that the beneficiaries of such services may utilize on an equal participation basis the services of practitioners licensed pursuant to chapters 18.22, 18.25, 18.53, 18.57, 18.71, and 18.83 RCW, and all contractors of health care services regulated by this chapter are prohibited from in



any way discriminating against the utilization by the beneficiaries on an equal participation basis of the services of such licensed practitioners in performing and receiving compensation for services covered within the scope of their licenses: PROVIDED, HOWEVER, That this 1973 act shall not apply to any agreement, renewal, or contract concluded prior to the effective date of this 1973 act."

On page 1, line 2 of the title after "against" strike "licensed practitioners" and insert "subscribers, participants or beneficiaries"

Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Barden, Chatalas, Kelley, Luders, Moon, Parker, Van Dyk.

MINORITY recommendation: Do not pass. Signed by Representatives Blair, Pardini.

#### MOTION

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to the Committee on Rules for second reading.

The motion was carried.

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

The Speaker called the House to order.

#### SECOND READING

HOUSE BILL NO. 142, by Representatives Sommers, Knowles, Kopet and Julin:

Raising the corporation annual report filing fees from one to two dollars.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 142 was placed on final passage.

Ms. Sommers spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 142, and the bill passed the House by the following vote: Yeas 94; nays, 3; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich,

Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cunningham, Pullen, Wilson.

Not voting: Representative Benitz.

House Bill No. 142, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 174, by Representatives Luders, Knowles, Conner, Bagnariol, Bauer, Kilbury, Haussler and Shinpoch:

Providing for the transfer of certain functions from the DSHS to the legislative budget committee.

#### MOTION

On motion of Mr. Williams, Substitute House Bill No. 174 was substituted for House Bill No. 174, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 174 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 174 was placed on final passage.

Mr. Williams spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 174, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel,

Randall, Savage, Schumaker, Shinoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Benitz.

Substitute House Bill No. 174, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act. .

HOUSE BILL NO. 234, by Representatives Maxie, King and Rabel (by Joint Committee on Higher Education request):

Implementing law relating to higher education.

Committee on Education recommendation: Majority, do pass as amended. (For amendments see Journal for twenty-fourth day, January 31, 1973.)

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendments see Journal for fiftieth day, February 26, 1973.)

The bill was read the second time.

On motion of Ms. Maxie, the committee amendments by the Committee on Education were adopted.

On motion of Ms. Maxie, the committee amendments by the Committee on Ways and Means - Appropriations were adopted.

House Bill No. 234 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 234 was placed on final passage.

Ms. Maxie spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 234, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker,

Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Benitz, Goltz.

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.

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.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 242 was placed on final passage.

Mr. Luders spoke in favor of the bill, and Mr. Eikenberry spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 242, and the bill passed the House by the following vote: Yeas, 60; nays, 37; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Erickson, Flanagan, Fortson, Gaines, Garrett, Gaspard, Hansen, Haussler, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, Knowles, Kraabel, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Savage, Shinpoch, Smythe, Valle, Van Dyk, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Voting nays: Representatives Barden, Bausch, Beck, Berentson, Bluechel, Brown, Cunningham, Curtis, Douthwaite, Eikenberry, Eng, Freeman, Gallagher, Gilleland, Goltz, Hansey, Hayner, Hendricks, Hoggins, Julin, King, Kopet, Kuehnle, Lysen, Matthews, Moon, North F., Polk, Randall, Schumaker, Smith, Sommers, Swayze, Thompson, Tilly, Williams, Wojahn.

Not voting: Representative Benitz.

House Bill No. 242, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 352, by Representatives Moon, Flanagan, Williams and Erickson:

Pertaining to listing of exempt property.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendment see Journal for forty-seventh day, February 23, 1973.)

The bill was read the second time.

On motion of Mr. Randall, the committee amendment was adopted.

House Bill No. 352 was ordered engrossed.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 352 was placed on final passage.

Mr. Randall spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 352, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nays: Representative Hoggins.

Not voting: Representative Benitz.

Engrossed House Bill No. 352, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 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.

The bill was read the second time.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and House Bill No. 361 was placed on final passage.

Mr. Parker spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 361, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representative Benitz.

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.

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.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and House Bill No. 362 was placed on final passage.

Mr. Parker spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 362, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas,

Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Juelling, Julin, Kalich, Kelley, Kilbury, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Ehlers, Johnson, King.

Not voting: Representative Benitz.

House Bill No. 362, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and House Bill No. 363 was placed on final passage.

Mr. Parker spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 363, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.  
Not voting: Representatives Benitz, Flanagan.

House Bill No. 363, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

The bill was read the second time.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and House Bill No. 365 was placed on final passage.

Mr. Bluechel spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 365, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Benitz.

House Bill No. 365, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 394, by Representatives Kilbury and Brown:

Providing for changes in the publication of notice of proposed constitutional amendments.

The bill was read the second time.



On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and House Bill No. 394 was placed on final passage.

Mr. Kilbury spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 394, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Parker, Warnke.

Not voting: Representative Benitz.

House Bill No. 394, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 399, by Representatives Bluechel, Perry and Kopet (by Secretary of State request):

Implementing laws relating to the secretary of state.

The bill was read the second time.

On motion of Mr. Bluechel, the following amendment by Representatives Bluechel and Perry was adopted:

On page 1, section 2, line 23 insert a new subsection as follows:

"(3) The provisions of Title 23A RCW;"

Renumber the remaining subsections consecutively

House Bill No. 399 was ordered engrossed.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 399 was placed on final passage.

Mr. Bluechel spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 399, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Kuehnle, Parker.

Not voting: Representative Benitz.

Engrossed House Bill No. 399, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and House Bill No. 422 was placed on final passage.

Representatives Kilbury and Savage spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 422, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet,

Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Benitz.

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

HOUSE BILL NO. 426, by Representatives Eng, Brown and Maxie (by Secretary of State request):

Publishing notice of constitutional amendments and referendum bills.

The bill was read the second time.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and House Bill No. 426 was placed on final passage.

Mr. Eng spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Blair.

Mr. Blair: "Representative Eng, could you tell us now if this would be applicable to Gaelic language newspapers?"

Mr. Eng: "Yes, it would. If you could find me a paper, I'll see to it that it gets in there."

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 426, and the bill passed the House by the following vote: Yeas, 88; nays, 4; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hendricks, Hoggins, Hurley, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barden, Eikenberry, Juelling, Pullen.

Not voting: Representatives Benitz, Hansen, Hayner, Jastad, Kuehnle, Zimmerman.

House Bill No. 426, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 453, by Representatives Johnson, Gallagher, Kuehnle and Leckenby:

Providing certain benefits to children of retired patrolmen.

#### MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 453 and the bill was ordered placed at the bottom of the second reading calendar.

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.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and House Bill No. 481 was placed on final passage.

Mr. Beck spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 481, and the bill passed the House by the following vote: Yeas, 89; nays, 7; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden,

Berentson, Eikenberry, Hoggins, Newhouse, Warnke.

Not voting: Representatives Benitz, Kraabel.

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

Mr. Beck moved that House Bill No. 481 be transmitted immediately to the Senate.

The motion failed.

The Speaker called on Mr. O'Brien to preside.

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.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments see Journal for fifty-eighth day, March 6, 1973.)

The bill was read the second time.

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

House Bill No. 482 was ordered engrossed.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 482 was placed on final passage.

Mr. Hansen spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 482, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk,

Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Benitz, Ehlers, Kraabel, Newhouse, Smythe.

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.

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.

#### MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 523, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 566, by Representatives Ceccarelli, Barden and Chatalas:

Requiring savings and loan associations to pay for the cost of state supervision.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 566 was placed on final passage.

Mr. Ceccarelli spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 566, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn,

Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Benitz, Kraabel.

House Bill No. 566, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 589, by Representatives Bagnariol, Curtis, Morrison, Jastad, Swayze, Wojahn and Gilleland:

Regulating collection agencies.

#### MOTION

On motion of Mrs. Wojahn, Substitute House Bill No. 589 was substituted for House Bill No. 589, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 589 was read the second time.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 589 was placed on final passage.

Representatives Curtis and Wojahn spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 589, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Parker.

Not voting: Representative Benitz.

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.

HOUSE BILL NO. 595, by Representatives Kopet, Shinpoch and Newhouse:

Abolishing certain accounts within the general fund.

MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 595, and the bill was ordered placed at the bottom of today's second reading calendar.

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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 698 was placed on final passage.

Mr. King spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 698, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Parker.

Not voting: Representative Benitz.

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. 721, by Representative Bagnariol:

Changing certain of the laws relating to insurance.



Committee on Financial Institutions recommendation: Do pass as amended. (For amendment see Journal for forty-second day, February 18, 1973.)

The bill was read the second time.

On motion of Mr. Ceccarelli, the committee amendment was adopted.

House Bill No. 721 was ordered engrossed.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 721 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 721, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Benitz.

Engrossed House Bill No. 721, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 821, by Representatives Pardini, Wojahn and Curtis:

Providing for pre-arrangement contracts for the purchase of cemetery merchandise or services.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendment see Journal for sixtieth day, March 8, 1973.)

The bill was read the second time.

On motion of Mrs. Wojahn, the committee amendment was adopted.

House Bill No. 821 was ordered engrossed.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 821 was placed on final passage.

Mr. Pardini spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 821, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Benitz.

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.

HOUSE BILL NO. 827, by Representatives Bausch, Bluechel and Williams:

Providing that county comprehensive plans may cover a portion of such county.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments see Journal for sixth day of first extraordinary session, March 14, 1973.)

The bill was read the second time.

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

House Bill No. 827 was ordered engrossed.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 827 was placed on final passage.

Mr. Bausch spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House bill No. 827, and the bill passed the House by the following vote: Yeas, 92; nays, 5; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Hansey, Hendricks, Kuehnle, Pullen, Schumaker.

Not voting: Representative Benitz.

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.

HOUSE BILL NO. 847, by Representatives Paris and Kalich:

Repealing certain limitations on county legal aid programs.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 847 was placed on final passage.

Mr. Kalich spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 847, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini,

Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Benitz.

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.

HOUSE BILL NO. 1005, by Representatives Conner and Chatalas:

Prorating inheritance tax collections upon annuities and retirement benefits.

MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 1005, and the bill was ordered placed on the bottom of today's second reading calendar.

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.

MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 1019, and the bill was ordered placed on Monday's second reading calendar.

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.

On motion of Mr. Charette, the following amendment by Representatives Charette and Swayze was adopted:

On page 2, beginning on line 8 strike all of subsection (3)

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Senate Bill No. 2054 as amended by the House was placed on final passage.

Mr. Beck spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2054 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 5; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Bausch, Maxie, Morrison, Newhouse.

Not voting: Representatives Benitz, Curtis, May.

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.

## EXPLANATION OF VOTE

My voting machine malfunctioned on the vote on Senate Bill No. 2054. I intended to vote "yes."

WILLIAM J.S. "BILL" MAY, 3rd District.

HOUSE BILL NO. 453, by Representatives Johnson, Gallagher, Kuehnle and Leckenby:

Providing certain benefits to children of retired patrolmen.

The bill was read the second time.

Mr. Shinpoch moved adoption of the following amendment:

On page 1, line 26 following "of" strike "twenty" and insert "eighteen"

Representatives Shinpoch and Douthwaite spoke in favor of adoption of the amendment, and Representatives Johnson and Lysen spoke against it.

The amendment was adopted on a rising vote.

House Bill No. 453 was ordered engrossed.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 453 was placed on final passage.

POINT OF INQUIRY

Mr. Kelley: "Will Representative Shinpoch yield to question?"

Representative Shinpoch refused to yield to question.

Mr. Kelley spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 453, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wjahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Kelley.

Not voting: Representative Benitz.

Engrossed House Bill No. 453, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 523, by Representatives Hendricks, Kalich, Thompson, Hansey, Paris and Zimmerman:

Empowering the attorney general or governor to defend state officers in certain civil and criminal proceedings.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 523 was placed on final passage.

Mr. Hendricks spoke in favor of the bill and Mr. Julin spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 523, and the bill passed the House by the following vote: Yeas, 58; nays, 35; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Hendricks, Hoggins, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, Moon, Morrison, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Perry, Rabel, Randall, Savage, Smythe, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wojahn.

Voting nay: Representatives Amen, Barden, Berentson, Blair, Bluechel, Charnley, Cunningham, Douthwaite, Flanagan, Freeman, Gilleland, Haussler, Hayner, Hurley, Jueling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Matthews, McCormick, North F., North L., Patterson, Polk, Pullen, Schumaker, Shinpoch, Smith, Sommers, Warnke, Wilson, Zimmerman.

Not voting: Representatives Benitz, Curtis, Eikenberry, Kelley, and Mr. Speaker.

House Bill No. 523, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 595, by Representatives Kopet, Shinpoch and Newhouse:

Abolishing certain accounts within the general fund.

The bill was read the second time.

Mr. Newhouse moved adoption of the following amendment by Representatives Newhouse and Thompson:

On page 2, section 6, line 27 after "repealed:" insert:

"(1) Section 43.97.010-43.97.050, chapter 8, Laws of 1965 and RCW 43.97.010-43.97.050;" and renumber the remaining subsections consecutively

## POINT OF ORDER

Mr. Zimmerman: "I would like to challenge the scope and object of this particular amendment on the strength that here is an amendment that is being brought up that would try to wipe out, as a mere, minor part of this particular consent calendar of bills, a commission that is established--a commission which was established by this body, back in the years past, as the body that was to protect and to take care of and to preserve one of the last vestiges of nature in the Pacific Northwest. The Columbia River Gorge Commission was established to do a job that we are now recognizing in the bills we have been passing in the last few years in conservation. The fact there was no

opportunity to consult with..."

The Speaker (Mr. O'Brien presiding): "Mr. Zimmerman, will you hold your remarks to whether or not the amendment is germane and relevant to the main proposition contained in the bill."

Mr. Zimmerman: "As to the germaneness of this, I am primarily speaking to the fact that this particular amendment does not deal with the matter of transferring of funds because the Columbia River Gorge Commission has not been funded in all these years, and the \$38.00 we are talking about obviously is not enough money to be concerned about and to be able to do the job that the commission was established to do. Within the last three years, the three commissioners down there have been able on a volunteer basis, to do things that commissions have been unable to do that are spending a lot of money. I am only hoping that we can keep the commission, and at some point in time, give it some funds to do the job that we have set it up to do in the first place."

Mr. Newhouse: "Mr. Speaker, I will not comment on the arguments for or against the commission at this point, but I hope I will get an opportunity to answer some of the unfounded charges. The bill itself does two things: It abolishes several funds, and this would be real progress. Five funds would be abolished that the State Treasurer must handle. The other thing it does is abolish some commissions. The discussion, as I understand it, in committee and as brought to the Rules Committee was that there was serious consideration that this particular commission should also be abolished. Therefore, I believe it is well within the scope and object of the bill."

#### MOTIONS

On motion of Mr. Charette, the House deferred consideration of House Bill No. 595, and the bill was ordered placed on Monday's second reading calendar.

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

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Monday, March 19, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



ELEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 19, 1973.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

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

MESSAGES FROM THE SENATE

March 17, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 137,  
HOUSE BILL NO. 287,  
HOUSE BILL NO. 364,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 17, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 502,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 17, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2118,  
ENGROSSED SENATE BILL NO. 2312,  
SENATE BILL NO. 2497,  
ENGROSSED SENATE BILL NO. 2544,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 17, 1973

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2113,-

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENT TO HOUSE BILL

March 14, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 601 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 identicard;

(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".

Re-number the remaining sections consecutively. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. King moved that the House do not concur in the Senate amendment to Engrossed House Bill No. 601.

Mr. Curtis moved that the House do concur in the Senate amendment to Engrossed House Bill No. 601.

Mr. Brown spoke in favor of the motion and Mr. King spoke against it.

The motion by Mr. Curtis was lost, and the House refused to concur in the Senate amendment to Engrossed House Bill No. 601.

## MESSAGE FROM THE SENATE

March 15, 1973

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 2111, and asks the House to recede therefrom, and said bill, together with the House amendment thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Ceccarelli moved that the House recede from its amendment to Engrossed Senate Bill No. 2111.

Representatives Ceccarelli and Barden spoke in favor of the motion.

The motion was carried.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

The Speaker stated the question before the House to be the final passage of Senate Bill No. 2111 without the House amendment.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2111 without the House amendment, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hoggins, Julin, Kraabel, North L., Pullen.

Engrossed Senate Bill No. 2111 without the House amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 509,  
SUBSTITUTE SENATE BILL NO. 2113.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1070, by Representatives Haussler and Laughlin:

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.

To Committee on Local Government.

HOUSE BILL NO. 1071, by Representatives Williams, Curtis, Perry and Laughlin:

AN ACT Relating to the protection of the rights of the owner of a sound recording; adding a new chapter to Title 19 RCW; and providing penalties.

To Committee on Commerce.

HOUSE BILL NO. 1072, by Representatives Bluechel, Hurley, Luders, Bauer, Van Dyk, Rabel, Brown, Kopet and Laughlin:

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.

To Committee on Judiciary.

HOUSE BILL NO. 1073, by Representatives Smythe and Thompson:

AN ACT Relating to the shoreline management act of 1971; amending section 3, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.030; and amending section 15, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.150.

To Committee on Ecology.

HOUSE BILL NO. 1074, by Representatives Beck and Laughlin:

AN ACT Relating to certain members of the American revolution bicentennial commission; adding a new section to chapter 76, Laws of 1972 ex. sess. and to chapter 43.125 RCW; and declaring an emergency.

To Committee on State Government.

HOUSE BILL NO. 1075, by Representatives Kopet and Shinpoch:

AN ACT Relating to public assistance; and adding new sections to chapter 26, Laws of 1959 and to chapter 74.04 RCW.

To Committee on Social and Health Services.

HOUSE BILL NO. 1076, by Representatives Gaines and Laughlin:

AN ACT Relating to habitual traffic offenders; and amending section 10, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.080.

To Committee on Judiciary.

HOUSE BILL NO. 1077, by Representatives Wojahn, McCormick, Savage and Laughlin:

AN ACT Relating to insurance contracts; requiring contractual provisions for the hospital treatment of alcoholism; and adding a new section to chapter 48.18 RCW.

To Committee on Commerce.

ENGROSSED 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.

To Committee on Education.

ENGROSSED 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.

To Committee on Local Government.

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.

To Committee on State Government.

ENGROSSED 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.

To Committee on Commerce.

#### MOTION

Mr. Thompson moved that the bills printed on today's agenda be considered first reading under the fourth order of business and be referred to the committees so designated.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Swayze.

Mr. Swayze: "I wonder if we could have a little explanation of the provisions of HOUSE BILL NO. 1077, providing for hospitalization for alcoholism. I do note the prime sponsor as being the Chairman of the Committee to which that bill is referred. It would appear that under

ordinary circumstances the bill would go to Social and Health Services. I was wondering if there are other criteria in that bill, that don't meet the eye, that make it appropriate that it go to the Commerce Committee?"

Mr. Thompson: "This bill, Representative Swayze, appears to relate to the contractual or commercial operations of hospitals, and the assignment seemed appropriate on that basis."

The motion by Mr. Thompson was carried.

REPORTS OF STANDING COMMITTEES

March 16, 1973

HOUSE BILL NO. 8, Prime Sponsor: Representative Kilbury, adopting the uniform marriage and divorce act, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Maxie, Smith, Sommers, Swayze.

MINORITY recommendation: The substitute bill do not pass. Signed by Representatives Hayner, Newhouse.

March 16, 1973

HOUSE BILL NO. 64, Prime Sponsor: Representative Conner, taxing motor vehicle fuel in the state of Washington, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Clemente, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Patterson, Pullen, Schumaker.

March 16, 1973

HOUSE BILL NO. 197, Prime Sponsor: Representative Perry, providing for the sale of state general obligation bonds to finance certain highway construction, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Berentson, Ceccarelli, Clemente, Gaines, Gallagher, Garrett, Gilleland, Kalich, Kraabel, Laughlin, Leckenby, Nelson, Patterson, Pullen, Schumaker, Swayze.

March 16, 1973

HOUSE BILL NO. 241, Prime Sponsor: Representative King, exempting from fees those community college students not completing high school, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass as amended by the Committee on Higher Education. Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Bausch, Brown, Charette, Chatalas, Ehlers, Gaspard, Luders, Smith, Thompson, Valle, Van Dyk.

March 16, 1973.

HOUSE BILL NO. 392, Prime Sponsor: Representative Wojahn, providing new procedures for marriage and the dissolution of marriage, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers, Swayze.

March 16, 1973

HOUSE BILL NO. 564, Prime Sponsor: Representative Kilbury, providing alternate methods for petitioning a legislative body to call an annexation election, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 13, section 14, beginning on line 4 after "designated" strike the remainder of the section and insert " (by a majority of the members above designated, who) one by the mayor of the annexing city, which member shall be a resident property owner of the city, and one by the chairman of the county legislative authority, which member shall be a resident of and a property owner or a resident or a property owner if there be no resident property owner in the area proposed to be annexed, shall be added to the original membership and the full board thereafter convened upon call of the mayor; PROVIDED FURTHER, That three members of the board shall constitute a quorum."

On page 13, section 15, line 25 after "less than" strike "(ten) twenty" and insert "ten"

On page 13, section 15, line 26 after "acres" strike "((and) or less than ((two) four)" and insert "and less than two"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Blair, Kuehnle, Laughlin, Martinis, McCormick, Nelson, North (Frances), Paris, Patterson, Sommers, Zimmerman.



March 17, 1973

HOUSE BILL NO. 565, Prime Sponsor: Representative Rabel, implementing law relating to services and activities fees charged by state's colleges and universities, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, section 2, line 29 after "universities which" insert "select officers through a process approved by the student body, that"

On page 5, section 4, line 27 after "recommendations on the" strike "intended"

On page 5, section 4, line 28 after "activities fees" insert "during the budget making process and"

Signed by Representatives Maxie, Chairwoman; Goltz, Vice Chairman; Anderson, Benitz, Charnley, Freeman, King, Kraabel, Patterson, Rabel, Valle, Wilson, Wojahn.

March 16, 1973

HOUSE BILL NO. 596, Prime Sponsor: Representative Johnson, permitting a vintage motor vehicle to be used for daily transportation and bear plates from its year of manufacture, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 9 after "for" and before "personal" strike "daily"

On page 1, section 1, line 21 after "that vehicle" and before the period insert "; PROVIDED, That nothing in this section shall be construed as permitting the use of a vehicle bearing such license plates for personal transportation unless the vehicle shall also display a tag or emblem issued by the director pursuant to RCW 46.16.230 reflecting that the vehicle is currently licensed"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Ceccarelli, Clemente, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Nelson, Swayze.

March 16, 1973

HOUSE BILL NO. 685, Prime Sponsor: Representative Kuehnle, providing that fire districts may contract with the state authority owning adjacent lands for fire protection, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

In section 1, line 7 after "((state owned))" strike "property" and insert "((property)) buildings and"

equipment, except those leased to a nontax exempt person or organization."

In section 1, line 20 after "amended" and before the period insert "PROVIDED, That nothing in this section shall be construed to require that any state agency, institution, or municipal corporation contract for services which are performed by the staff and equipment of such state agency, institution, or municipal corporation"

On page 1, beginning on line 21 insert a new section as follows:

"NEW SECTION. Sec. 2. This 1973 amendatory act shall take effect on July 1, 1974."

On page 1, line 1 of the title after "districts;" strike "and" and on line 2 after "52.36.020: insert "; and prescribing an effective date"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Blair, Kuehnle, Laughlin, Martinis, McCormick, Nelson, North (Frances), Paris, Patterson, Sommers, Zimmerman.

March 16, 1973

HOUSE BILL NO. 809, Prime Sponsor: Representative Hansey, revising the apportionment formula for the grade crossing protective fund, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Bender, Ceccarelli, Clemente, Douthwaite, Gaines, Gallagher, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Nelson, Patterson, Pullen, Swayze.

March 17, 1973

HOUSE BILL NO. 820, Prime Sponsor: Representative Patterson, 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 Representatives Maxie, Chairwoman; Goltz, Vice Chairman; Anderson, Benitz, Charnley, Freeman, Kraabel, Patterson, Rabel, Wilson, Wojahn.

March 16, 1973

HOUSE BILL NO. 939, Prime Sponsor: Representative Kelley, 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 amendment:

In section 1, line 7 after "any" strike "unimproved" and after "lands," strike "unusable"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Blair, Kuehnle, Laughlin, Martinis, McCormick, Nelson, North (Frances), Patterson, Sommers, Zimmerman.

March 16, 1973

HOUSE BILL NO. 958, Prime Sponsor: Representative Gaines, authorizing use of forty foot school buses under specific limitations, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Clemente, Gaines, Gallagher, Gilleland, Hansen, Kalich, Laughlin, Nelson, Patterson.

March 16, 1973

HOUSE BILL NO. 1007, Prime Sponsor: Representative Kilbury, appropriating funds for grasshopper control, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, immediately following section 1, add a new section as follows:

"NEW SECTION. Sec. 2. Before any grasshopper control program shall commence the responsible or cooperating agency or agencies must receive approval from the directors of ecology, fish and game."

Renumber the remaining section consecutively.

Signed by Representatives North (Frances), Vice Chairwoman; Bagnariol, Bausch, Charette, Chatalas, Ehlers, Gaspard, Kopet, Luders, Smith, Thompson, Valle, Van Dyk, Warnke.

March 16, 1973

HOUSE BILL NO. 1008, Prime Sponsor: Representative Bagnariol, making an appropriation for publication of the session laws, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Bausch, Brown, Charette, Chatalas, Ehlers, Gaspard, Kopet, Luders, Morrison, Smith, Valle, Van Dyk.

March 16, 1973

ENGROSSED SENATE BILL NO. 2378, Prime Sponsor: Senator Walgren, providing for the sale of certain property held by the highway department, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 24 after "By" strike all 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."

Re-number the remaining section.

Signed by Representatives Perry, Chairman, Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Ceccarelli, Clemente, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Nelson, Patterson, Pullen, Schumaker, Swayze.

#### MOTIONS

Mr. Thompson moved that all standing committee reports listed on today's fifth order of business be passed to Committee on Rules for second reading.

The motion was carried.

Mr. Thompson moved that HOUSE BILL NO. 1028 be rereferred from the Committee on Commerce to the Committee on Social and Health Services.

The motion was carried.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### SECOND READING

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 and passed to Committee on Rules for third reading.

HOUSE BILL NO. 595, by Representatives Kopet, Shinpoch and Newhouse:

Abolishing certain accounts within the general fund.

The House resumed consideration of House Bill No. 595 on second reading. The Speaker (Mr. O'Brien presiding) stated the question before the House to be the following amendment by Representatives Newhouse and Thompson:

On page 2, section 6, line 33 after "repealed:" insert

"(1) Section 43.97.010-43.97.050, chapter 8, Laws of 1965 and RCW 43.97.010-43.97.050;"

Re-number the remaining subsections consecutively.

RULING BY THE SPEAKER (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Prior to adjournment on Saturday, a point of order was raised by Mr. Zimmerman on House Bill No. 595 in connection with the amendment by Mr. Newhouse and Mr. Thompson challenging the scope and object of the amendment. The question now is this point of order.

"The purpose of House Bill No. 595 is to transfer the general fund moneys that originally went to the Columbia River Gorge Commission, to mass transit, and other such commissions and agencies, as set forth in the act. The purpose of the Newhouse-Thompson amendment is to repeal the statutes pertaining to the Columbia River Gorge Commission in their entirety. The Speaker rules that the amendment is beyond the scope and object of House Bill No. 595, and is contrary to House Rule No. 32 and Reed's Rule No. 160, as the amendment contains a different subject matter than set forth in the original purpose of House Bill No. 595. Therefore, the point of order is well taken, and the amendment by Representatives Newhouse and Thompson is declared out of order."

Mr. Newhouse: "Mr. Speaker, I should remind you, I suppose, of many rulings of the Chair in previous sessions and point out to you that the sections of the law which were to be repealed were mentioned in this bill, and the question was before us. I would say the intent of the bill went further than you said--just to transfer funds. It wiped out special funds, and if you wipe out the funds, you had just as well repeal the sections which establish such commissions. I think that your ruling does not follow the precedent which you, yourself, have made in previous years."

The Speaker (Mr. O'Brien presiding): "The Speaker objects to your comments. If you would like to repeal the statute, I suggest you just prepare a bill and do it that way."

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and House Bill No. 595 was placed on final passage.

Representatives Kopet and Newhouse spoke in favor of the bill and Representatives Zimmerman and Laughlin spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 595, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bauer, Laughlin, Zimmerman.

Not voting: Representative Pullen.

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. 1005, by Representatives Conner and Chatalas:

Prorating inheritance tax collections upon annuities and retirement benefits.

#### MOTION

On motion of Mr. Randall, Substitute House Bill No. 1005 was substituted for House Bill No. 1005, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1005 was read the second time.

Mr. Barden moved adoption of the following amendment by Representatives Barden, Flanagan, Hansey, Schumaker, Berentson, Curtis, Jueling, Cunningham, Garrett, Freeman, Julin, Eikenberry, Polk, Hayner, Gilleland and Kuehnle:

On page 1, section 1, line 14 after "tax" insert ":

PROVIDED, That benefits derived from all sources enumerated in this section shall be totaled together and the exemption granted by this section shall apply only to sixty thousand dollars of the total of all such benefits: AND PROVIDED FURTHER, That where more than one beneficiary is entitled to a portion of such benefits, this exemption shall be apportioned among such beneficiaries ratably and proportionately"

Mr. Barden spoke in favor of the amendment, and Mr. Conner spoke against it.

POINT OF ORDER

Mr. Barden: "Mr. Speaker, the amendment merely deals with putting a maximum limit on the value of a pension plan which receives a tax exemption. I believe that Representative Conner is speaking far beyond the subject of the amendment."

The Speaker (Mr. O'Brien presiding): "It appears that Mr. Conner is just trying to explain the purpose of what this amendment actually does. In order to go into it in detail, he has set forth some examples. You may continue, Mr. Conner."

Mr. Conner concluded his remarks in opposition to the amendment, and Mr. Newhouse spoke in favor of the amendment.

POINT OF ORDER

Mr. Conner: "I think the speaker is impugning my motives. I certainly do understand the import of the amendment, and I object to his language strenuously."

The Speaker (Mr. O'Brien presiding): "If Mr. Newhouse will avoid getting into personalities..."

Mr. Newhouse concluded his remarks in favor of the amendment, and Mr. King spoke against it.

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

Mr. Charette spoke against adoption of the amendment, and Representatives Kuehnle and Flanagan spoke in favor of it.

Representative Barden spoke again in favor of the amendment, and Representatives Bagnariol and Randall spoke against it.

Representatives Smythe and Pardini spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Barden and others to Substitute House Bill No. 1005, and the amendment was lost by the following vote: Yeas, 49; nays, 49; not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Jueling, Julin, Kelley, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Lysen, Matthews, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Sommers, Swayze, Tilly, Warnke, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Martinis, Maxie, May, McCormick, Moon, O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Thompson, Valle, Van Dyk, Wojahn, and Mr. Speaker.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1005 was placed on final passage.

Mr. Conner spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1005, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Bagnariol.

Substitute House Bill No. 1005, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



## EXPLANATION OF VOTE

Due to a malfunction of the voting machine, my vote was recorded wrong on Substitute House Bill No. 1005. I wish to be recorded as voting "yes."

JOHN BAGNARIOL, 11th District.

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 House resumed consideration of Senate Bill No. 2176 on second reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the following amendment by Mr. Blair: (For previous action, see Journal for eighth day, first extraordinary session, March 16, 1973.)

On page 1, section 1, line 17 after "PROVIDED," strike all material down to and including "compensation" and insert "That any district providing insurance benefits for its employees in any manner whatsoever, may provide errors and omissions insurance for its commissioners, which insurance shall not be considered to be compensation"

Mr. Blair spoke in favor of the amendment.

## PARLIAMENTARY INQUIRY

Mr. Pardini: "Am I correct in assuming that we are now voting on the reconsideration of the amendment which was previously adopted?"

The Speaker (Mr. O'Brien presiding): "The motion to reconsider carried the last day we were considering this bill. The question now is the adoption of the amendment by Mr. Blair."

Mr. Pardini: "Then this is not a new amendment which has been placed before us?"

The Speaker (Mr. O'Brien presiding): "No."

Representatives Johnson and Savage spoke against adoption of the amendment.

## PARLIAMENTARY INQUIRY

Mr. Swayze: "If the Blair amendment on reconsideration is now defeated, will the bill remain before us on second reading for the purpose of further amendment to the same section?"

The Speaker (Mr. O'Brien presiding): "The Speaker rules that if this amendment is defeated, it will be in

order to accept another amendment."

Representatives Haussler and Newhouse spoke against adoption of the amendment.

The amendment by Mr. Blair to Senate Bill No. 2176 was not adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Lysen:

On page 1, section 1, line 17 after "PROVIDED," strike all material down to and including "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."

Mr. Hansey moved adoption of the following amendment to the amendment by Representatives Tilly and Lysen:

On line 4 of the amendment strike "health,"

Mr. Hansey spoke in favor of the amendment to the amendment.

The amendment to the amendment was lost on a rising vote.

Representatives Tilly and Lysen spoke in favor of adoption of the amendment.

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Hansey.

Mr. Hansey: "Mr. Lysen, in order to get legislative intent here, the amendment says that the port district may provide 'business related' and then there are several types of insurance, including health insurance. Would it be the intention of the sponsors of this amendment that the only health insurance the port district could buy for its commissioners would be health insurance directly related to specific travel trips?"

Mr. Lysen: "That is an interesting question. I guess I would say that you should ask the chief sponsor of the amendment, Representative Tilly."

Mr. Hansey: "Representative Tilly, would you respond to this question?"

Mr. Tilly: "The answer is the affirmative."

Mrs. Johnson spoke against adoption of the amendment.

The amendment by Representatives Tilly and Lysen was adopted on a rising vote.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2176 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2176 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 7; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Erickson, Flanagan, Newhouse, North F., Warnke, Wilson, Zimmerman.

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.

#### MOTIONS

On motion of Mr. Thompson, the House deferred consideration of the balance of the second and third reading calendars, and the bills were ordered placed on the calendar of the next working day.

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

On motion of Mr. Charette, the House adjourned until 9:30 a.m. Tuesday, March 20, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## TWELFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 20, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

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

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1078, by Representatives Smythe and Kopet:

AN ACT Relating to the state payroll; establishing a unified system of payroll accounting; and adding new sections to chapter 42.16 RCW.

To Committee on State Government.

HOUSE BILL NO. 1079, by Representatives Valle, Conner, Goltz, Flanagan, Zimmerman, Warnke, Fortson, Kilbury, Lysen and Eng:

AN ACT Relating to health and safety.

To Committee on Judiciary.

HOUSE BILL NO. 1080, by Representative Leckenby:

AN ACT Relating to outdoor advertising in areas adjacent to state highways; and amending section 12, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.102.

To Committee on Transportation and Utilities.

HOUSE CONCURRENT RESOLUTION NO. 42, by Representative Charette:

Joint session presenting Viet Nam bonus check to prisoner of war.

## MOTIONS

On motion of Mr. Thompson, the rules were suspended, House Concurrent Resolution No. 42 was advanced to second reading and read the second time.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 42 was placed on final passage and adopted.

On motion of Mr. Thompson, House Concurrent Resolution No. 42 was ordered transmitted immediately to the Senate.

## REPORTS OF STANDING COMMITTEES

March 19, 1973

HOUSE BILL NO. 12, Prime Sponsor: Representative Charnley, providing a time limit for the filing of local referendum petitions, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 2 after "approved" insert "or disapproved"

On page 2, section 2, line 19 after "county" strike "clerk" and insert "auditor"

On page 2, section 2, beginning on line 25 strike "clerk" and insert "auditor"

On page 2, section 2, line 27 after "with the" strike "clerk" and insert "auditor"

On page 2, section 2, line 31 after "approved" insert "or disapproved"

On page 2, section 2, line 32 after "election." insert "In any charter county the duties of the county auditor prescribed under this section shall be performed by that county official having the overall responsibility to supervise elections."

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Eng, Erickson, Hayner, Maxie, Rabel.

March 15, 1973

HOUSE BILL NO. 316, Prime Sponsor: Representative Luders, providing for the registration and regulation of boats, reported by Committee on Parks and Recreation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hurley, Chairwoman; Gaines, Vice Chairman; Ellis, Garrett, Matthews, Paris.

March 16, 1973

HOUSE BILL NO. 640, Prime Sponsor: Representative Williams, creating a state department of consumer affairs, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bluechel, Ehlers, Gaines, Lysen, Moon, Perry, Thompson.

March 17, 1973

HOUSE BILL NO. 1035, Prime Sponsor: Representative Charette, 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 Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Gallagher, Garrett, Juelling, Leckenby, O'Brien, Pardini, Perry, Randall, Williams, Wilson.

March 16, 1973

HOUSE JOINT MEMORIAL NO. 17, Prime Sponsor: Representative Martinis, petitioning Congress to enact legislation to protect employee pension rights, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 18 after "that only" strike "about one in twenty" and insert "a small minority"

On page 1, beginning on line 21 after "vesting," strike "the lack of portability,"

On page 2, line 3 after "require" strike "portability,"

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Ehlers, Gaines, Hurley, Moon, Perry, Thompson.

March 19, 1973

HOUSE JOINT RESOLUTION NO. 6, Prime Sponsor: Representative Savage, allowing bills introduced at a session to carry over to subsequent sessions of the same legislature, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 10 after "retain the" strike "place to which they have advanced on the calendar" and insert "status reached"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Eng, Erickson, Hayner, Knowles, Maxie, Rabel.

March 19, 1973

HOUSE JOINT RESOLUTION NO. 31, Prime Sponsor: Representative Charnley, revising Article XXIII of the Constitution relating to amendments and revisions, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Eng, Erickson, Hayner, Maxie, Rabel.

March 16, 1973

HOUSE CONCURRENT RESOLUTION NO. 25, Prime Sponsor: Representative Charette, authorizing a study relating to the law enforcement officers' and fire fighters' retirement system, reported by Committee on Local Government.

MAJORITY recommendation: The substitute resolution be substituted therefor and that the substitute resolution do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Amen, Blair, Kuehnle, Nelson, North (Frances), Patterson, Sommers, Zimmerman.

#### MOTION

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to Committee on Rules for second reading.

#### POINT OF INQUIRY

Mr. Curtis: "Mr. Thompson, I notice that House Bill No. 316 which is the measure dealing with the registration and regulation of boats has a substantial revenue impact--a little in excess of \$2 million per biennium. Would it be your intention in keeping with the announced policy that, at least after the Rules Committee has had an opportunity to look at it, this item would go before the Ways and Means Committee?"

Mr. Thompson: "Thank you, Mr. Curtis. The fiscal impact of House Bill No. 316 has been recognized here as well. It is intended it will follow the course many other measures have had in this session, and an opportunity will be provided for the Ways and Means Committee to examine it."

The motion by Mr. Thompson was carried.

#### SECOND READING

HOUSE BILL NO. 112, by Representatives Van Dyk, Berentson and Goltz;

Providing for certain changes in the assessment

levied upon milk.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendment see Journal for thirty-sixth day, February 12, 1973.)

The bill was read the second time.

On motion of Mr. Kilbury, the committee amendment was adopted.

House Bill No. 112 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 112 was placed on final passage.

Mr. Van Dyk spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 112, and the bill passed the House by the following vote: Yeas, 84; nays, 10; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Barden, Benitz, Cunningham, Ehlers, Kelley, Kraabel, Matthews, Morrison, Newhouse.

Not voting: Representatives Hoggins, Luders, Lysen, Smith.

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.

HOUSE BILL NO. 368, by Representatives Douthwaite, Eng and Blair:

Authorizing cities and towns to participate in and implement federally-assisted grant-in-aid programs.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment see Journal for forty-first day, February 17, 1973.)



The bill was read the second time.

On motion of Mr. Haussler, the committee amendment was adopted.

House Bill No. 368 was ordered engrossed and passed to the Committee on Rules for third reading.

HOUSE BILL NO. 391, by Representatives Amen, Kilbury, Thompson, Patterson, Haussler, Zimmerman, Van Dyk, Curtis, Tilly and Kalich:

Creating a state conservation commission and defining its powers and duties.

#### MOTION

On motion of Mr. Kilbury, Substitute House Bill No. 391 was substituted for House Bill No. 391, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 391 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 391 was placed on final passage.

Mr. Amen spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 391, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Mr. Speaker.

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. 410, 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.

MOTION

On motion of Mr. Adams, Substitute House Bill No. 410 was substituted for House Bill No. 410, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 410 was read the second time.

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

On page 2, section 2, line 1 after "possible" strike the period and insert "in accordance with RCW 74.08.283."

Representatives Matthews and Smythe spoke in favor of adoption of the amendment.

The amendment by Representatives Matthews and Smythe was adopted.

Mr. Kelley moved adoption of the following amendment:

On page 3, after section 3 on line 14 insert a new section as follows:

"NEW SECTION. Sec. 4. In developing the program set forth in section 3 of this act, the department shall, to the extent possible, enlist the services of persons receiving grants under the provisions of RCW 74.08 and RCW 74.12 to carry out the services enumerated under section 2 herein. To this end, the department shall establish appropriate rules and regulations designed to determine eligibility for employment under this section, as well as regulations designed to notify persons receiving such grants of eligibility for such employment. The department shall further establish a system of compensation to persons employed under the provisions of this section which provides that any grants they receive under RCW 74.08 or RCW 74.12 shall be diminished by such percentage of the compensation received under this section as the department shall establish by rules and regulations."

Renumber the remaining section consecutively and correct the internal references.

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

POINT OF INQUIRY

Mr. Kelley yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Kelley, I am very, very sympathetic to your amendment, but I wonder if you

would yield to one question first, namely, the question of fiscal impact. Is there a fiscal note attached to this amendment?"

Mr. Kelley: "There is a question that has arisen concerning the fiscal impact of the entire bill. Presently we are having a fiscal note drawn on this bill, at Representative Shinpoch's direction, and if the fiscal note is such that there is a fiscal impact on this bill, I will be joining in a motion with Representative Shinpoch to direct that this bill be transferred to Ways and Means. However, I wanted the amendment on the bill so that the full impact of it would be taken according to the amendment."

Mr. Pardini discussed the amendment.

#### POINT OF ORDER

Mr. Thompson: "Point of order, Mr. Speaker. Is Representative Pardini speaking for or against the Kelley amendment?"

The Speaker (Mr. O'Brien presiding): "It is up to Mr. Pardini."

Mr. Pardini: "If Mr. Thompson will wait just a moment, I would like to suggest to him that the question is moot. I will continue my remarks, Mr. Speaker, and I hope to draw out the point that I am speaking both for and against the amendment. I am speaking for the amendment as we spoke for the amendment on Saturday, Representative Thompson. I am speaking against the amendment because it seems ridiculous to me to implement this kind of legislation if we are not going to fund it."

Representatives Kelley and Smythe spoke in favor of the amendment.

The amendment by Mr. Kelley was adopted.

Mr. Barden moved adoption of the following amendment:

On page 3, section 2, line 5 after "blind," insert "or" and after "disability assistance" strike the remainder of the section and insert a period.

Mr. Barden spoke in favor of the amendment.

#### POINT OF ORDER

Mr. Charnley: "Mr. Speaker, I do not find a copy of this amendment on my desk. The more Mr. Barden speaks, the more substantive it seems to be. I would request that we either have a copy, or that it be again read so we can determine exactly what he is doing to the bill."

The Speaker (Mr. O'Brien presiding): "The amendment just came to the desk. The Clerk will reread the amendment."

Mr. Barden concluded his remarks in favor of adoption of the amendment.

Ms. Maxie spoke against adoption of the amendment by Mr. Barden, and Mr. Matthews spoke in favor of it.

#### MOTION

Mr. Kelley moved that further consideration of Substitute House Bill No. 410 and the amendment by Mr. Barden be deferred and that the bill be placed on tomorrow's second reading calendar.

The motion was carried on a rising vote.

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.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 588 was placed on final passage.

Mrs. Wojahn spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 588, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kuehne, Morrison.

House Bill No. 588, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 612, by Representatives Beck and Kalich:

Implementing the law relating to county roads.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments see Journal for forty-first day, February 17, 1973.)

The bill was read the second time.

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

House Bill No. 612 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 746, by Representatives Conner, Anderson, Berentson and Kalich:

Implementing the laws protecting forest lands.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 746 was placed on final passage.

Representatives Conner and Kalich spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 746, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansén, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kraabel.

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.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### SECOND READING

HOUSE BILL NO. 1011, by Representatives Flanagan, Randall and Newhouse:

Providing for assessment of livestock upon monthly average stock basis.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1011 was placed on final passage.

Representatives Flanagan and Hansen spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1011, and the bill passed the House by the following vote: Yeas, 92; nays, 5; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Douthwaite, Eikenberry, Shinpoch, Warnke.

Not voting: Representative Smith.

House Bill No. 1011, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT RESOLUTION NO. 17, by Representative Randall:

Amending Article VII of the Constitution relating to revenue and taxation.

## MOTION

Mr. Thompson moved that House Joint Resolution No. 17 be made a special order of business for 9:30 a.m. tomorrow.

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Pardini.

Mr. Pardini: "The motion before us is to make the question of tax reform a special order of business at 9:30 a.m. tomorrow morning, which means that we are coming closer to the question of the bill which has been on the calendar for three or four days. However, I have had delivered to me a notice of a public hearing scheduled for 7:30 p.m. tonight on a state income tax. Normally public hearings are scheduled five days in advance so all interested parties can have a hearing on this. I wonder if we are going to go through with this particular hearing, and if we anticipate something coming from this hearing tonight other than House Joint Resolution No. 17 which is before us, or whether there will be new subject matter before us tomorrow?"

Mr. Bagnariol: "In response to Representative Pardini's inquiry, the notice you received perhaps wasn't properly worded. The Senate is having a public hearing on tax reform and they have invited the public to come down and testify on tax reform as an issue--not on a specific bill. They invited the House to participate and we sent out a notice to all of our members. It will be held in the House Chamber, so all our members can come and have the benefit of the public testimony. That is the purpose of tonight's hearing, not to hear a specific bill."

Mr. Pardini: "Am I to understand then, Representative Bagnariol, that the Revenue Committee will not be acting on a specific bill tonight which conceivably would be the substitute measure before us tomorrow?"

Mr. Bagnariol: "There will be no action tonight on any tax reform bill. It is purely and simply a public hearing. The Senate has invited the House Revenue Committee and the House Constitution and Elections Committee to attend and gain the public input. We will have House Joint Resolution No. 17 on the floor tomorrow for action, for amendments from your side or our side, to try to come to some bipartisan tax reform program."

Mr. Pardini spoke in favor of the motion by Mr. Thompson to make House Joint Resolution No. 17 a special order of business for 9:30 a.m. tomorrow, and the motion was carried.

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

Permitting defense counsel payments in justice courts.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2069 was placed on final passage.

Mr. Knowles spoke in favor of the bill.

POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Barden.

Mr. Barden: "Representative Knowles, do you have any idea how much money this will take from local government to pay these attorneys' fees?"

Mr. Knowles: "There is no way to determine this, Representative Barden. This is a relatively new concept. Until it runs a little test of time, it would be difficult to tell how much is going to be involved in the payment of these attorneys' fees."

Mr. Barden: "Would it be fair to say though, that the passage of this bill would further dissipate local government dollar resources, and further incapacitate their ability to perform their job?"

Mr. Knowles: "At the present time, this entire expense falls upon either the county or the city to pay these attorneys' fees."

Mr. Barden: "Would this reduce the amount of dollars available to local government in an amount that you have no way of estimating?"

Mr. Knowles: "That is correct. At the present time, the Department of Revenue specifies what happens to the balance left in this suspense fund after payment of the expenditures of those courts. It varies in different counties. Some of it goes to cities; some of it goes to counties; some of it goes to the schools; some of it goes to the general fund; some of it goes to the Fish and Game Commission. And for some reason, it varies in each county as to the percentage of that money left over. That is the best explanation I can give you."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2069, and the bill passed the House by the following vote: Yeas, 84; nays, 9; not voting, 5.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King,



Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Perry, Rabel, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Freeman, Gilleland, Kuehnle, North F., Patterson, Pullen, Schumaker.

Not voting: Representatives Hoggins, Julin, Kopet, Polk, Randall.

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. 2347, by Senators Ridder, Talley and Canfield:

Providing for the issuing of certain bonds by sewer districts.

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

#### THIRD READING

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 third time and placed on final passage.

Mr. Ceccarelli spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 300, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke,

Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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.

ENGROSSED HOUSE BILL NO. 915, by Representative Barden:

Relating to banks, mutual savings banks, and savings and loan associations.

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

Mr. Gaspard spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 915, and the bill passed the House by the following vote: Yeas, 89; nays, 9; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Beck, Charnley, Douthwaite, Ehlers, Eng, Laughlin, Van Dyk, Wojahn, Zimmerman.

Engrossed House Bill No. 915, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 494, by Representatives Berentson, Van Dyk, Hurley and Hoggins:

Enabling appropriations of state funds for common schools activities programs.

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

Representatives Berentson, Smythe, Van Dyk, Hoggins and King spoke in favor of passage of the bill, and Representatives May, Tilly and Fortson spoke against it.

## POINT OF INQUIRY

Mr. Smythe yielded to question by Mr. Ehlers.

Mr. Ehlers: "I am a little confused. Representative Van Dyk indicated the few dollars we are talking about, and my memory really doesn't serve me very well, but there was a fiscal impact potentially, as I remember, that came out in the Education Committee meeting. Could you refresh my memory as to the potential of this legislation?"

Mr. Smythe: "Representative Ehlers, there was no fiscal impact they could arrive at. Nobody knows if we've got one district, or no districts, or twenty-five districts, that would take advantage of this. All you can do is make an assumption that where they do have a certain program they cannot implement because they don't have the ability to support it through fees, etc., then they take this route. It would be up to them as to how many dollars they put into the budget."

Mr. Ehlers: "Mr. Smythe, do you remember what that assumption was? I think it was between \$10 and \$20 million, wasn't it, potentially, as Dr. Apker testified?"

Mr. Smythe: "No, now my memory has slipped. I don't recall that figure at all. If that was the figure, that was the day he was also speaking on marijuana."

## POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Randall, you were a school board member. I wanted to ask your advice inasmuch as school directors have been mentioned here in the debate. The way I understand this bill, it would allow the school districts to use funds from general apportionment for these activities. Now in the event that as a part of tax reform or changes in the school formula we should find it necessary to fund basic education, would we then be including these activities in the definition of basic education?"

Mr. Randall: "In answer to the question, the only way this would be included in basic education would be when the legislature defined it as such at that time. Now there is no fiscal impact on the state budget. These funds come out of the allocations inside the budget of a school district. And if a school district uses these funds to further other programs, then they are going to take it away out of another part of the budget."

Representative Thompson spoke against passage of the bill, and Representatives Brown and Laughlin spoke in favor of it.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 494, and the bill failed to pass the House by the following vote: Yeas, 34; nays, 63; not voting, 1.

Voting yea: Representatives Adams, Bauer, Bausch, Beck, Bender, Berentson, Brown, Clemente, Douthwaite, Ellis, Erickson, Gallagher, Hansey, Hoggins, Hurley, Jastad, Johnson, King, Laughlin, Martinis, Maxie, Moon, Morrison, Newhouse, O'Brien, Pardini, Patterson, Randall, Savage, Smith, Smythe, Van Dyk, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Anderson, Bagnariol, Barden, Benitz, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Eng, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Jueling, Julin, Kalich, Kelley, Kilbury, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Lysen, Matthews, May, McCormick, Nelson, North F., North L., Paris, Parker, Perry, Polk, Pullen, Rabel, Schumaker, Shinpoch, Sommers, Swayze, Thompson, Tilly, Valle, Wilson, Wojahn, Zimmerman.

Not voting: Representative Williams.

Engrossed House Bill No. 494, having failed to receive the constitutional majority, was declared lost.

ENGROSSED SENATE BILL NO. 2071, as amended by the House, by Senators Marsh, Talley and Herr:

Establishing an additional justice of the peace in specified districts.

## MOTION

Mr. Thompson moved that the rules be suspended and Engrossed Senate Bill No. 2071 as amended by the House, be returned to second reading for the purpose of amendment.

Representatives Bauer and Knowles spoke in favor of the motion.

## RULING BY THE SPEAKER (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "On a suspension of the rules of this nature, one person can speak in favor and one person can speak against. We are limited to one on each side of the issue."

Mr. Smythe spoke against the motion.

The motion by Mr. Thompson failed on a rising vote.

Engrossed Senate Bill No. 2071 was read the third time and placed on final passage.

Mr. Knowles spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2071 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 9; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bauer, Bausch, Benitz, Conner, Morrison, Newhouse, Parker, Shipoch, Zimmerman.

Not voting: Representative Williams.

Engrossed Senate Bill No. 2071 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## RESOLUTION

HOUSE RESOLUTION NO. 73-53 by Representatives Ceccarelli, Pardini and Chatalas:

WHEREAS, Daniel B. Ward, who has served with great distinction for the past seven years as Director of the State Department of Commerce and Economic Development, will leave state service on March 19 to assume a key post with the Federal Government as Pacific Northwest Regional Director for the United States Small Business Administration; and

WHEREAS, Mr. Ward has, during his direction of our state's Department of Commerce and Economic Development, accomplished much toward portraying the desirability of Washington as a trade and industrial center, particularly through participation in international trade fairs, including the Osaka World's Fair of 1970; and

WHEREAS, During his distinguished career in the banking industry prior to his entry into state service, he was a leader in efforts to enhance the prestige, prosperity and well-being of the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That Daniel B. Ward be commended for his many years of dedicated and meritorious service to the State of Washington, both as private citizen and as a state official.

BE IT FURTHER RESOLVED, That a suitably inscribed copy of this Resolution be prepared and forwarded to Mr.

Ward by the Chief Clerk of the House of Representatives.

Mr. Ceccarelli moved adoption of the resolution.

Representatives Ceccarelli and Pardini spoke in favor of the resolution, and the resolution was adopted.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 502.

MOTIONS

On motion of Mr. Thompson, HOUSE BILL NO. 1071 was rereferred from the Committee on Commerce to the Committee on State Government.

On motion of Mr. Charette, the House was adjourned until 9:00 a.m., Wednesday, March 21, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## THIRTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 21, 1973.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Leckenby, McCormick and Williams who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

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

## MESSAGES FROM THE SENATE

March 20, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2502,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 20, 1973

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2268,  
ENGROSSED SENATE BILL NO. 2270,  
ENGROSSED SENATE BILL NO. 2490,  
SENATE BILL NO. 2515,  
SENATE BILL NO. 2574,  
SENATE BILL NO. 2643,  
ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125,  
and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 20, 1973

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 304,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 20, 1973

Mr. Speaker:

The Senate has adopted:  
HOUSE CONCURRENT RESOLUTION NO. 42,  
and the same is herewith transmitted.  
Bill Gleason, Assistant Secretary.

March 20, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to  
SENATE BILL NO. 2054 and has passed the bill as amended by  
the House.

Sidney R. Snyder, Secretary.

March 20, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to  
SENATE BILL NO. 2176 and has passed the bill as amended by  
the House.

Sidney R. Snyder, Secretary.

March 20, 1973

Mr. Speaker:

The President has signed:  
SENATE BILL NO. 2111,  
and the same is herewith transmitted.  
Sidney R. Snyder, Secretary.

March 20, 1973

Mr. Speaker:

The President has signed:  
SENATE BILL NO. 2054,  
SENATE BILL NO. 2176,  
and the same are herewith transmitted.  
Sidney R. Snyder, Secretary.

March 20, 1973

Mr. Speaker:

The President has signed:  
HOUSE BILL NO. 502,  
and the same is herewith transmitted.  
Sidney R. Snyder, Secretary.

March 20, 1973

Mr. Speaker:

The Senate refuses to recede from its amendment to  
ENGROSSED HOUSE BILL NO. 601, and asks the House for a  
conference thereon, and the President has appointed as  
members of said conference committee: Senators Grant,  
Clarke and Washington.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Charette, the House granted the  
request of the Senate for a Conference on Engrossed House  
Bill No. 601.



APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Clemente, Brown and Parker as members of the Conference Committee on Engrossed House Bill No. 601.

MESSAGE FROM THE GOVERNOR

March 20, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on March 20, 1973, Governor Evans approved the following House Bill entitled:  
HOUSE BILL NO. 337: Removing restrictions on convicted felons from obtaining certain employment.

Sincerely,  
JOHN H. BRIGHT,  
Legislative Counsel.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) observed in the south gallery the recipients of the State A Basketball Championship from White River High School in Buckley, and asked them to stand and be recognized.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1081, by Representatives Douthwaite, Warnke, Kilbury, Charnley and Laughlin:

AN ACT Relating to insurance; amending section 20, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.292; adding a new section to chapter 48.30 RCW; and prescribing penalties.

To Committee on Financial Institutions.

HOUSE BILL NO. 1082, by Representatives Gilleland, Charnley, Leckenby, Laughlin, Beck and Berentson:

AN ACT Relating to public highways; amending sections 1, 2 and 3 of chapter 24, Laws of 1971 ex. sess. and RCW 47.04.110, 47.04.120 and 47.04.130; amending section 6, chapter 109, Laws of 1971 ex. sess. and RCW 43.21C.060; adding a new chapter to title 47 RCW; and declaring an emergency.

To Committee on Transportation and Utilities.

HOUSE CONCURRENT RESOLUTION NO. 43, by Representatives Lysen, Williams, Kilbury and Laughlin:

Requesting an order be directed to the department of health, education and welfare requiring it to carry out congressional intent.

To Committee on Social and Health Services.

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.

To Committee on Judiciary.

ENGROSSED 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.

To Committee on Judiciary.

ENGROSSED 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.

To Committee on Judiciary.

ENGROSSED 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 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; amending section 816, Code of 1881 as last amended by section 189, chapter 249, Laws of 1909 and RCW 9.79.070; amending section 2, chapter 74, Laws of 1937 as last amended by section 1, chapter 127, Laws of 1955 and RCW 9.79.080; 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 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 51.24.010, chapter 23, Laws of 1961 as last amended by 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; amending section 1, chapter 137, Laws of 1957 and RCW 54.36.010; amending section 4, page 26, Code 1881, Bagley's Supp. as last amended by section 1, page 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 11, 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; repealing section 1, chapter 84, Laws of 1951, section 1, chapter 41, Laws of 1965 and RCW 49.28.070; and defining crimes and prescribing penalties.

To Committee on Judiciary.

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.

To Committee on Financial Institutions.

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.

To Committee on Higher Education.

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.

To Committee on Financial Institutions.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke:

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

To Committee on State Government.

MOTION .

Mr. Thompson moved that the bills and resolutions printed on today's agenda be considered first reading under the fourth order of business and be referred to the committees so designated, with the exception of SENATE BILL NO. 2268, to be referred to the Committee on Commerce rather than the Committee on Judiciary, and ENGROSSED SENATE BILL NO. 2490, to be referred to the Committee on Social and Health Services rather than the Committee on Judiciary.

MOTION

Mr. Swayze moved to except ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125 from the motion by Mr. Thompson and that it be held on first reading for later

disposition.

Mr. Swayze spoke in favor of the motion.

Mr. Charette demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Leckenby, McCormick and Williams.

On motion of Mr. Charette, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Swayze to except Engrossed Senate Concurrent Resolution No. 125 from the motion by Mr. Thompson.

Mr. Charette spoke against the motion.

#### POINT OF ORDER

Mr. Pardini: "Mr. Speaker, we have a special order of business before us at 9:30 a.m. The time is now 9:35 a.m."

The Speaker (Mr. O'Brien presiding): "Mr. Pardini, in connection with your point of order on the special order of business at 9:30 a.m., your point is well taken."

#### MOTION

On motion of Mr. Charette, HOUSE JOINT RESOLUTION NO. 17 was made a special order of business at 10:00 a.m.

The Speaker (Mr. O'Brien presiding) asked Mr. Charette to continue his remarks.

#### POINT OF ORDER

Mr. Swayze: "Referring to Reed's Rule No. 224--it deals with references to another legislative branch and states: 'It is not permissible to allude to the action of the other house of a legislature, or to refer to a debate there.' I am calling my point of order on the remarks of Mr. Charette."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Mr. Swayze, your point of order in part appears to be well taken in that we should be very careful that we do not have our conduct lead to misunderstanding and ill-will between the



two bodies since it is necessary to cooperate on occasion."

Mr. Charette continued his remarks in opposition to the motion.

#### POINT OF ORDER

Mr. Pardini: "Mr. Charette is very, very clever, but his remarks are obviously a subterfuge of the Speaker's ruling."

The Speaker (Mr. O'Brien presiding): "Mr. Charette is a man of good judgment, and I am sure he will abide by the ruling."

Mr. Charette concluded his remarks against the motion and Representatives Newhouse and Curtis spoke in favor of the motion by Mr. Swayze.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Rabel.

Mr. Rabel: "Mr. Charette, I understand your commitment to continuous sessions, but I am a little confused by your opposition to this motion. Do I understand you correctly--did you say the purpose of referring this Senate Concurrent Resolution No. 125 to the State Government Committee is to kill it so that it can no longer be considered by this House of Representatives?"

Mr. Charette: "No, Representative Rabel, I certainly did not say that the purpose of referring it to State Government Committee was to kill it. It is not our intention to kill this matter. And I would like to correct you in one thing. You have said 'continuous legislative session.' We are not talking about a continuous legislative session. We are talking about a continuing legislative session, or, as the Attorney General put it in one of his opinions (he coined a better word), 'in the continuum.' Representative Rabel, as an example, in answering your question, I would suggest that there needs to be an audit function. I would suggest that we need to take a look, for instance, at just one little item in the Department of Social and Health Services--a little \$168,000 study on management. This is just an infinitesimal part of the money that is spent on management. Then we need to take a look at approximately another \$100,000 for the same study. Quite frankly, just as an example, I think we need to have more people than just the bipartisan group on the Legislative Budget Committee. For instance, I would like to have the input of Representative Kuehnle, asking the Department of Social and Health Services some of these questions, as well as other members of the House. I think that sufficiently answers your question."

Mr. Rabel spoke in favor of the motion by Mr. Swayze.

## POINT OF INQUIRY

Mr. Barden yielded to question by Mr. Juelling.

Mr. Juelling: "Mr. Barden, you have the marvelous faculty of putting everything in perspective. Mr. Flanagan and I have been listening to Representative Charette this morning, and we are unable to determine exactly what he is trying to tell us. I wonder if you could interpret that for us."

Mr. Barden: "Representative Juelling, I will attempt to do it as briefly as I can. The motion by Representative Swayze is to bring before this body a concurrent resolution that will provide for a sine die adjournment on April 7, which will, by that very action, provide for the maintenance and preservation of a citizen legislature. The opposition to Representative Swayze's motion is one in favor of a continuing legislature--one where, at the whim of a handful of power brokers in the legislature, the legislature can be convened into session and pulled away from their jobs..."

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Mr. Barden, I think you are out of order. You are going a little too far. I believe you have answered his question."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Swayze to except Engrossed Senate Concurrent Resolution No. 125 from the motion by Mr. Thompson.

The motion was lost.

## MOTION

On motion of Mr. Pardini, the House recessed until 10:00 a.m.

The Speaker called the House to order.

Mr. Leckenby appeared at the bar of the House.

## MOTION FOR RECONSIDERATION

Mr. Pardini, having voted on the prevailing side, moved that the House do now reconsider the vote by which the motion by Mr. Swayze failed.

## POINT OF ORDER

Mr. Charette: "My point of order is that obviously the maker of the motion was not on the prevailing side."

The Speaker: "The question has arisen as to whether or not the maker of the motion voted on the prevailing side. Representative Pardini, did you vote on the prevailing side?"

Mr. Pardini: "Yes, Mr. Speaker."

The Speaker: "Representative Pardini states that he voted on the prevailing side. Therefore, your point of order is not well taken, Representative Charette."

#### MOTION

On motion of Mr. Charette, the motion by Mr. Pardini to reconsider the motion by Mr. Swayze was laid on the table.

The Speaker stated the question before the House to be the motion by Mr. Thompson to refer the bills and resolutions printed on today's agenda to the committees so designated with the exception of Senate Bill No. 2268, to be referred to the Committee on Commerce, and Engrossed Senate Bill No. 2490, to be referred to the Committee on Social and Health Services.

#### PARLIAMENTARY INQUIRY

Mr. Barden: "Mr. Speaker, the effect of Representative Charette's motion to lay the motion for reconsideration on the table--isn't its effect to take the entire subject to the table with that motion? And do we not have the entire subject of the bills on that schedule now on the table? I am referring to Reed's Rule No. 114."

#### RULING BY THE SPEAKER

The Speaker: "Mr. Barden, in regard to your parliamentary inquiry, the Speaker rules that the motion to lay on the table would not take the main subject matter with it. Rule No. 114 states: 'If it be moved on the main question, then all amendments go with it; if moved on the amendment, then the main question goes on the table also.' The motion to lay on the table was in regard to the procedural motion for reconsideration. Therefore, it is neither on an amendment nor is it on the main question. Therefore, the Speaker rules that the motion to lay on the table would not take the main question with it, since it is on a procedural motion. This has been ruled many, many times in the past, dating all the way back to the early 1950's."

Mr. Barden: "Mr. Speaker, Reed's Rule No. 203 states that a motion to reconsider reopens the entire question for further action, as if there had been no final decision. That is the basis upon which my question was raised. It appears that we had introduction and first reading of bills. All of these bills are on the schedule. When the motion to reconsider an amendment to Mr. Thompson's motion was laid on the table, it appeared to me it took the whole question with it. That is the reason I raised that question. I wonder if your answer also takes into consideration the provisions of Reed's Rule No. 203?"

The Speaker: "The Speaker would also like to direct your attention to Reed's Rule No. 211, entitled: 'Reconsideration--Practical Suggestions,' which states: 'In the House of Representatives it can be met with a motion to lay on the table, which enables the House to suppress debate and the reconsideration, both together, if it so desires.'"

#### POINT OF ORDER

Mr. Swayze: "The motion to lay on the table was made. We were not recognized to raise a point of order which probably would have been more properly raised at that time. However, I call your attention to Rule 47 of the Rules of the House, wherein a motion to reconsider is a privileged motion. A motion to lay on the table is a subsidiary motion of the second rank only, and was therefore out of order."

The Speaker: "I'm afraid the question isn't before the Speaker at the present time."

The Speaker stated the question before the House to be the motion by Mr. Thompson and the motion was carried.

#### MOTIONS

On motion of Mr. Charette, HOUSE JOINT RESOLUTION NO. 17 was made a special order of business for 12:00 noon today.

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

#### RESOLUTION

HOUSE RESOLUTION NO. 73-54, by Representatives Maxie, Kraabel, Bauer, Hoggins, Rabel, Perry, Eng, O'Brien, North (Lois), Sommers, Charette, Thompson, Goltz, Chatalas and Savage:

WHEREAS, Alfred E. Cowles has served as Executive Director of the Washington State Human Rights Commission since February 1, 1966; and

WHEREAS, During this period, Alfred E. Cowles has been an effective administrator as well as a respected expert in the field who has lectured at various universities and professional conferences across the country; and

WHEREAS, In addition to his professional responsibilities, Alfred E. Cowles has been deeply involved in community affairs principally in the field of education having been elected President of the Seattle School Board; and

WHEREAS, Alfred E. Cowles has been the recipient of several awards including the alumni award for public service from Manhattan College; and

WHEREAS, Alfred E. Cowles will soon leave the state of Washington to assume new duties and responsibilities in the nation's capital;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington recognizes the past achievements of Alfred E. Cowles and expresses its deepest gratitude for the service he has given to the State of Washington; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be suitably inscribed and transmitted by the Chief Clerk of the House of Representatives to Alfred E. Cowles.

On motion of Ms. Maxie, the resolution was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House, Mr. Alfred E. Cowles and requested that Representatives Maxie, Kraabel and Eng conduct him to a place on the rostrum.

The Speaker: "Ladies and gentlemen of the House, I think the resolution we just passed speaks for itself. Mr. Cowles is now leaving the state to take a post with the National Arbitration Board. On behalf of the members of the House of Representatives, Al, I want to congratulate you on your accomplishments and wish you luck in your new post. Also, I would like to present you with the floor resolution and to ask if we could hear a few words from you."

Mr. Cowles: "Mr. Speaker, and members of the House: I am overwhelmed by this very tangible expression of recognition of any contributions I have made to the state over the past seven years. I have had the pleasure of working in the state as a member of the Public Education Board in Seattle and as Director of the State Human Rights Commission since 1966. They have been the most rewarding seven years of my life, and I have enjoyed them thoroughly. I wanted to express to all of you who are members of this august body, the House of Representatives, and the people of the state of Washington, my heartfelt appreciation and gratitude for the support they have given me, not only in my professional pursuits in human rights, but also in terms of my work on the Seattle School Board. The state of Washington, as far as I am concerned, is the finest state in the nation, and we are fortunate to have people like you, who serve at great personal sacrifice, to make public policies. Thank you again for the resolution, and I will try to be deserving in the future."

Mr. Cowles was escorted from the rostrum by Representatives Maxie, Kraabel and Eng.

#### MOTION

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

## 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 Mr. Richard Brunhaver at the bar of the House. The President appointed the following committee to escort Mr. Brunhaver to the rostrum: Senators Knoblauch, Matson, Sandison and Woodall, and Representatives Morrison, Newhouse, Ellis and Garrett. The committee escorted Mr. 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 morning 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. We feel that the future of the nation is set on young men like 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 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. He was one of the few who received such a high honor in World War II. 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.

The President of the Senate directed the special committee to escort Mr. Robert Bush 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 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 House resumed its session.

#### MOTION

On motion of Mr. Charette, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

March 17, 1973

HOUSE BILL NO. 269, Prime Sponsor: Representative Maxie, enacting the Residential Landlord-Tenant Act of 1973, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Julin, Maxie, Shinpoch, Smith, Sommers.

March 19, 1973

HOUSE BILL NO. 549, Prime Sponsor: Representative Kuehnle, 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 with the following amendments:

On page 1, section 1, line 5 after "shall" strike "use,"

On page 1, section 1, line 7 after "injection" insert "into the human body"

On page 1, section 2, line 15 after "develop," insert "and" and after "prescribe" strike ", and enforce"

On page 1, section 2, line 16 after "after" insert "final"

On page 2, line 6, immediately following section 6, add a new section to read as follows:

"NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In line 3 of the title, after "penalties" and before the period insert "; and declaring an emergency"

Signed by Representatives Adams, Chairman; Cunningham, Eng, Fortson, Hendricks, Kelley, Matthews, May, Paris, Savage, Wojahn, Zimmerman.

March 19, 1973

HOUSE BILL NO. 597, Prime Sponsor: Representative Thompson, regulating public water supply systems, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Eng, Freeman, Hendricks, Kelley, Matthews, May, Paris, Wojahn, Zimmerman.

March 20, 1973

HOUSE BILL NO. 616, Prime Sponsor: Representative Hurley, requiring the approval of the department of ecology when a highway project is to be constructed, reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 2 after "shall" strike all the matter down to and including "section." on line 5 and insert "discontinue further proceedings leading to construction of the proposed project pending the obtaining of the comments from the highway commission and the ecological commission as the necessity for the proposed

project in light of the determination by the department of ecology. The department of highways shall thereafter pursue its efforts to undertake such project only if, after full evaluation of the determination of the department of ecology and said comments, the department of highways finds said project is consistent with pertinent highway department statutes as amended by the substantive provisions of chapter 43.21C RCW and chapter 2, Laws of 1971, ex. sess."

On page 2, beginning on line 12, strike all of section 2 and renumber the remaining sections consecutively

On page 2, section 3, line 18 after "chapter" strike "47.04" and insert "43.21A"

On page 2, section 3, line 21 after "establish" strike the remainder of the section and insert "guidelines of general applicability for interpretation and implementation of (1) section, 1 of this 1973 amendatory act and (2) the State Environmental Policy Act of 1971."

On page 1, line 1 of the title after "to" strike "state highways" and insert "policies for the protection of the environment"

On page 1, line 3 of the title after "chapter" strike "47.04" and insert "43.21A"

Signed by Representatives Luders, Chairman; Smith, Vice Chairman; Charnley, Douthwaite, Goltz, Kraabel, Nelson, Pullen, Valle.

March 20, 1973

HOUSE BILL NO. 722, Prime Sponsor: Representative Eikenberry, regulating the solicitation of funds for charity, reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Wojahn, Chairwoman; Adams, Bagnariol, Ceccarelli, Gallagher, Garrett, Gilleland, Leckenby, Randall, Wilson.

March 19, 1973

HOUSE BILL NO. 737, Prime Sponsor: Representative Sommers, changing certain procedures for approving the creation of a special district, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 7, immediately following section 5, add a new section as follows:

"Sec. 6. Section 3, chapter 189, Laws of 1967 as last amended by section 1, chapter 111, Laws of 1969 1st ex. sess. and RCW 36.93.030 are each amended to read as follows:

(1) There is hereby created and established in each class AA ((and class A)) county a board to be known and designated as a "boundary review board."

(2) A boundary review board may be created and established or dissolved in any other class county in the following manner:

(a) The board of county commissioners may, by majority vote, adopt a resolution establishing a boundary review board; or

(b) A petition seeking establishment or dissolution of a boundary review board signed by qualified electors residing in the county equal in number to at least five percent of the votes cast in the county at the last county general election may be filed with the county auditor.

Upon the filing of such a petition, the county auditor shall examine the same and certify to the sufficiency of the signatures thereon. No person may withdraw his name from a petition after it has been filed with the auditor. Within thirty days after the filing of such petition, the county auditor shall transmit the same to the board of county commissioners together with his certificate of sufficiency.

After receipt of a valid petition for the establishment or dissolution of a boundary review board, the board of county commissioners shall submit the question of whether a boundary review board should be established or dissolved to the electorate at the next county primary or county general election which occurs more than thirty days from the date of receipt of the petition. Notice of the election shall be given as provided in RCW 29.27.080 and shall include a clear statement of the proposal to be submitted.

If a majority of the persons voting on the proposition shall vote in favor of the establishment or dissolution of the boundary review board, such board shall thereupon be deemed established or dissolved."

On page 1, line 7 of the title after the semicolon and before "and" insert "amending section 3, chapter 189, Laws of 1967 as last amended by section 1, chapter 111, Laws of 1969 ex. sess. and RCW 36.93.030;"

Signed by Representatives Haussler, Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Blair, Kuehnle, Laughlin, McCormick, Nelson, North (Frances), North (Lois), Paris, Patterson, Smythe, Sommers, Zimmerman.

March 19, 1973

HOUSE BILL NO. 789, Prime Sponsor: Representative Knowles, authorizing an additional superior court judge for Spokane county, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Hayner, Julin, Maxie, Newhouse, Smith, Sommers, Swayze.

March 19, 1973

HOUSE BILL NO. 791, Prime Sponsor: Representative Bluechel, enacting the Washington Land Use Act, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 43, line 11 after "to" and before "and" strike "January 1, 1977," and insert "January 1, 1979,"  
On page 50, line 14 after "after" and before "any" strike "January 1, 1977," and insert "January 1, 1979,"  
On page 151, line 20 insert the following:

"Part 3

EFFECTIVE DATE

NEW SECTION. Sec. 9-301. The effective date of this Title shall be July 1, 1975."

On page 4 of the title, in line 28 after "RCW 58.17.180;" and before "creating" strike "and"

On page 4, of the title, in line 29 after "RCW" and before the period insert "and prescribing an effective date"

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bluechel, Curtis, Ehlers, Gaines, Kopet, Moon, Perry, Thompson.

March 19, 1973

HOUSE BILL NO. 933, Prime Sponsor: Representative Hansey, 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 with the following amendment:

On page 1, section 1, line 21 strike "in Port Roberts or Maple Beach, Washington" and insert "in any part of this state which shares a common border with Canada and which is surrounded on three sides by water"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Fortson, Freeman, Hendricks, Kelley, Matthews, May, Paris, Savage, Wojahn, Zimmerman.

March 20, 1973

SUBSTITUTE SENATE BILL NO. 2407, Prime Sponsor of original bill: Senator Sandison, creating the Washington higher education assistance authority, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Maxie, Chairwoman; Benitz, Charnley, Erickson, Freeman, King, Kraabel, Rabel, Valle, Wilson, Wojahn.

## MOTION

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to Committee on Rules for second reading with the exception of SUBSTITUTE SENATE BILL NO. 2407, to be referred to the Committee on Ways and Means - Appropriations.

The motion was carried.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 304,  
HOUSE CONCURRENT RESOLUTION NO. 42,  
SENATE BILL NO. 2054,  
SENATE BILL NO. 2111,  
SENATE BILL NO. 2176.

## MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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AFTERNOON SESSION  
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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives McCormick, Perry and Williams who were excused.

## MESSAGE FROM THE GOVERNOR

March 20, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on March 20, 1973, Governor Evans approved the following House Bills entitled:  
HOUSE BILL NO. 48: Providing for disclaimer of interest under will, trust or intestacy.

HOUSE BILL NO. 54: Exempting from taxation certain vehicle parts, equipment, furnishings, and accessories during construction process.

HOUSE BILL NO. 60: Authorizing disposal of surplus real property by irrigation districts.

HOUSE BILL NO. 134: Authorizing department of natural resources to remove wood debris from navigable waters.

HOUSE BILL NO. 224: Making certain changes in the executive conflict of interest act.

HOUSE BILL NO. 359: Authorizing community education pilot programs and appropriating funds therefor.

HOUSE BILL NO. 381: Providing for certification and regulation of operators responsible for the operation of domestic waste treatment plants.

HOUSE BILL NO. 402: Relating to the counting of absentee ballots.

HOUSE BILL NO. 404: Implementing laws against discrimination.

HOUSE BILL NO. 504: Implementing the laws of agricultural marketing and providing for various securities in lieu of bond.

HOUSE BILL NO. 652: Regulating insurance company investment.

Sincerely,  
John H. Bright,  
Legislative Counsel.

#### SPECIAL ORDER OF BUSINESS

The Speaker (Mr. O'Brien presiding) declared the question before the House to be House Joint Resolution No. 17 on second reading.

#### SECOND READING

HOUSE JOINT RESOLUTION NO. 17, by Representative Randall:

Amending Article VII of the Constitution relating to revenue and taxation.

Mr. Randall moved that Substitute House Joint Resolution No. 17 be substituted for House Joint Resolution No. 17, and the substitute resolution be placed on the calendar for second reading.

Mr. Swayze spoke against the motion by Mr. Randall, and Mr. Bagnariol spoke in favor of it.

Mr. Charette demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives McCormick, Perry and Williams.

On motion of Mr. Charette, the absent members were excused and the House proceeded with business under the Call of the House.



The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Randall that Substitute House Joint Resolution No. 17 be substituted for House Joint Resolution No. 17, and the substitute resolution be placed on the calendar for second reading.

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

Representatives Moon and Randall spoke in favor of the motion by Mr. Randall, and Representatives Barden, Pullen, Eikenberry and Hansey spoke against it.

Mr. Bagnariol spoke again in favor of the motion.

Mr. Chatalas spoke in favor of the motion by Representative Randall, and Representatives Pardini and Newhouse spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Randall that Substitute House Joint Resolution be substituted for House Joint Resolution No. 17, and the substitute resolution be placed on the calendar for second reading, and the motion was carried by the following vote: Yeas, 55; nays, 40; not voting, 3.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, Moon, North F., O'Brien, Parker, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Voting nays: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representatives McCormick, Perry, Williams.

Substitute House Joint Resolution No. 17 was read the second time.

#### POINT OF INQUIRY

Mr. Newhouse: "May I request that the House be put at ease for the purpose of a short Republican caucus?"

#### MOTIONS

On motion of Mr. Charette, the House dispersed with further business under the Call of the House.

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

POINT OF INQUIRY

Mr. Swayze: "Could I have the Chair announce the vote on Mr. Charette's motion to dispense with the Call of the House? It was never announced."

The Speaker (Mr. O'Brien presiding): "I ruled that the motion was carried."

MOTION

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Thursday, March 22, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FOURTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 22, 1973.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

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

## MESSAGES FROM THE SENATE

March 21, 1973.

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2229,  
SENATE BILL NO. 2416,  
ENGROSSED SENATE BILL NO. 2421,  
ENGROSSED SENATE BILL NO. 2435,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2634,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 21, 1973

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2069,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1083, by Representatives Moon, Clemente, Erickson, Ehlers, Fortson, Lysen, Savage, Perry, Wojahn, McCormick, Bagnariol, Jastad, Laughlin, Gaines, Bender, Warnke, Bausch, Haussler, Gallagher, May, Newhouse, Douthwaite, Charnley, Knowles, Kelley and Goltz:

AN ACT Relating to the taxation of ships and vessels; amending section 84.36.100, chapter 15, Laws of 1961; and repealing section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1084, by Representative Moon:

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.

To Committee on Financial Institutions.

HOUSE BILL NO. 1085, by Representatives Savage, Benitz and Kilbury (by Joint Committee on Nuclear Energy request):

AN ACT Relating to the joint committee on nuclear energy; changing the name thereof to the joint committee on energy; amending section 1, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.010; and amending section 6, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.035.

To Committee on State Government.

HOUSE BILL NO. 1086, by Representatives Martinis, North (Lois), Luders, Van Dyk and Charnley:

AN ACT Relating to wild, scenic and recreational rivers; and adding new sections to chapter 43.30 RCW.

To Committee on Ecology.

HOUSE BILL NO. 1087, by Representative Hansey:

AN ACT Relating to fishing licenses for Canadians fishing in waters of this state; adding a new chapter to Title 75 RCW; prescribing penalties; and providing an effective date.

To Committee on Natural Resources.

#### MOTION

Mr. Thompson moved that the bills printed on today's agenda be considered first reading under the fourth order of business and be referred to the committees so designated.

The motion was carried.

#### MOTION

Mr. Thompson moved that HOUSE BILL NO. 1082 be rereferred from the Committee on Transportation and Utilities to the Committee on Ecology.

Representatives Thompson, Perry and Luders spoke in favor of the motion, and Representatives Curtis and Gilleland spoke against it.

The motion was carried on a rising vote.

#### REPORTS OF STANDING COMMITTEES

March 20, 1973

HOUSE BILL NO. 537, Prime Sponsor: Representative Bagnariol, defining health care service agreements as contracts of insurance, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Barden, Chatalas, Kelley, Luders, Parker, Van Dyk.

MINORITY recommendation: Do not pass. Signed by Representatives Berentson, Eikenberry, Moon, Pardini.

March 20, 1973

HOUSE BILL NO. 552, Prime Sponsor: Representative Bagnariol, placing health care services under laws applicable to other insurance, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 10 after "that" strike all material down to and including "that" on line 12

On page 3, after section 3, add new sections to read as follows:

NEW SECTION. Sec. 4. There is added to chapter 48.44 RCW a new section to read as follows:

(1) The legislature declares that when exceptions to specific laws of insurance and taxation are deemed to be in the public interest these exceptions are not irrevocable and shall be subject to review by the legislature.

(2) The legislature finds that public access to health care is currently being limited or curtailed by rising health care costs and the shortage or uneven distribution of health care personnel throughout the state.

(3) The legislature further declares that immediate access by the people to health care is essential in the interest of the public health, welfare and safety, and in order to assure that the people of this state have readily available health care by all licensed practitioners qualified to provide health care services, no exceptions to specific laws of insurance and taxation shall be granted or used to deny the people the right to utilize the services of all licensed practitioners of such health care services.

NEW SECTION. Sec. 5. There is added to chapter 48.44 RCW a new section to read as follows:

(1) Whenever health care contractors enter into agreements with or for the benefit of persons or groups of persons for health care services which are the same or similar to those agreements authorized under chapters 48.20 RCW and 48.21 RCW relating to disability policies of insurance, then notwithstanding any provisions in chapter 48.44 RCW to the contrary, the provisions of chapters 48.20 RCW and 48.21 RCW relating to benefits for services performed by licensed practitioners of health care shall apply to all such agreements.

(2) The insurance commissioner shall disapprove any contracts or agreements that do not comply with the intent and declarations of this act and shall promulgate such rules and regulations as are necessary to assure compliance.

NEW SECTION. Sec. 6. There is added to chapter 48.44 RCW a new section to read as follows:

If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

On page 1, line 5 of the title, strike "a new section" and insert "new sections"

Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Barden, Chatalas, Kelley, Luders, Parker, Van Dyk.

MINORITY recommendation: Do not pass. Signed by Representatives Berentson, Eikenberry, Moon, Pardini.

March 21, 1973

HOUSE BILL NO. 554, Prime Sponsor: Representative Knowles, setting a time limitation for the transfer of prior service credits into the judicial retirement system, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Newhouse, Smith, Sommers, Swayze.

March 20, 1973

HOUSE BILL NO. 631, Prime Sponsor: Representative Douthwaite, authorizing the director of fisheries to manage and regulate unclassified fish, shellfish, and marine invertebrates, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Gilleland, Hansen, Hansey, Kalich, Kilbury, Schumaker, Tilly.

March 20, 1973

HOUSE BILL NO. 636, Prime Sponsor: Representative Smith, allowing the department of fisheries to supply salmon eggs for use in fish farming or aquaculture for any length of time, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 6 after "charge," and before "salmon" insert "surplus"

On page 1, line 9 after "delivery))" insert ";  
PROVIDED, That the department of fisheries shall not intentionally create a surplus of salmon to provide eggs for sale"

Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Gilleland, Hansey, Haussler, Kalich, Kilbury, Schumaker.

March 21, 1973

HOUSE BILL NO. 693, Prime Sponsor: Representative Goltz, prohibiting discrimination by use of physical qualifications for employment, reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2, beginning on line 18 strike all of subsection 4 and renumber the remaining subsections consecutively

On page 2, section 2, line 32 after "legislature" strike all of the material down through the comma on line 33

On page 3, section 3, line 6 after "chapter" strike "49.70" and insert "49.60"

Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, May, Morrison, Parker.

March 20, 1973

HOUSE BILL NO. 695, Prime Sponsor: Representative Eikenberry, authorizing state banks and trust companies to invest in community development groups, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Berentson, Blair, Eikenberry, Parker, Van Dyk.

March 20, 1973

HOUSE BILL NO. 1047, Prime Sponsor: Representative Newhouse, regulating the interest rate upon public funds

held as time deposits, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 10 after "average" strike all the material down to and including "auction" on line 12 and insert "((bill rate at the last U.S. treasury 91 day bill market auction)) yield of bids accepted by the U. S. treasury at its then most recent auction of 182 day treasury bills"

On page 1, immediately following section 1, insert a new section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 39.58 RCW a new section to read as follows:

The legislature, recognizing the substantial benefit to accrue to the state and its political subdivisions, declares it to be the public policy of this state to prefer in-state investment of all public funds available for investment. The public deposit protection commission shall publish from time to time, for the guidance of all public fund treasurers, appropriate criteria and instructions consistent with such public policy to promote and encourage such in-state investment."

In line 1 of the title, after "funds;" strike "and" and in line 2 after "39.58.120" insert "; and adding a new section to chapter 39.58 RCW"

Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Barden, Blair, Eikenberry, Kelley, Parker, Van Dyk.

March 20, 1973

HOUSE JOINT MEMORIAL NO. 18, Prime Sponsor: Representative Conner, requesting the secretary of state not to renew reciprocal fishing rights with Canada in West Coast waters, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 23 after "withdraw from the" insert "salmon portion of the"

On page 1, line 25 after "rights" strike the period and insert "for salmon."

Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Gilleland, Hansey, Haussler, Kalich, Kilbury, Schumaker.

March 20, 1973

ENGROSSED SENATE BILL NO. 2392, Prime Sponsor: Senator Gardner, implementing the law relating to intermediate school districts, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following



amendment:

On page 12, section 18, line 29 of the engrossed bill, being line 7 of the Senate Committee amendment to line 24, after "intermediate" strike "school"

Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender, Brown, Clemente, Ehlers, Fortson, Hayner, Hendricks, Johnson, Lysen, Tilly, Warnke.

March 17, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2800, Prime Sponsor of original bill: Senator Durkan, adopting the budget for the department of social and health services and allied agencies, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendment:

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 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 July 1, 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 \$32,876,903 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 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 disbursements 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.....\$1,109,121,295

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.....\$ 106,243,039

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

Public Health Program.....\$ 26,945,251

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 of 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."

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Bausch, Charette, Chatalas, Ehlers, Erickson, Gaspar, Goltz,

Hurley, Kilbury, Luders, Moon, North (Frances), Sawyer, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams.

## MOTIONS

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to Committee on Rules for second reading.

Mr. Barden moved to amend the motion by Mr. Thompson and rerefer ENGROSSED SUBSTITUTE SENATE BILL NO. 2800 to the Committee on Ways and Means.

Representatives Barden and Swayze spoke in favor of the motion, and Representative Bagnariol spoke against it.

Mr. Barden spoke again in favor of the motion, and Mr. Bagnariol spoke again in opposition to it.

The motion by Mr. Barden to amend the motion by Mr. Thompson and rerefer Engrossed Substitute Senate Bill No. 2800 to the Committee on Ways and Means was lost.

The motion by Mr. Thompson that all standing committee reports listed on the fifth order of business be passed to Committee on Rules for second reading was carried.

## SECOND READING

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 17, by Representative Randall:

Authorizing a state net income tax.

Mr. Charette demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Thompson, the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be Substitute House Joint Resolution No. 17 on second reading.

Mr. Eikenberry moved adoption of the following amendment by Representatives Eikenberry, Cunningham and Polk:

On page 2, line 2 insert a new subsection as follows:

"(3) During the time a state income tax is in effect, the ratio of total taxes levied and collected by all state taxing entities during a fiscal biennium, as against the state gross product (excluding the government spending factor) for the preceding fiscal biennium, shall not exceed the ratio of total taxes levied and collected by all state taxing entities in the fiscal biennium 1971-1973, and the state gross product (excluding the Government spending factor) for the same period."

Mr. Eikenberry spoke in favor of the amendment.

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

Representatives Cunningham, Polk and Curtis spoke in favor of the amendment, and Representatives King, Sommers, Savage and Luders spoke against it.

#### POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. Pullen.

Mr. Pullen: "In order to add clarity here, since there does seem to be some confusion, could you define the words 'state gross product (excluding the Government spending factor)'?"

Mr. Eikenberry: "Representative Pullen, I appreciate the question and I will answer it this way: The gross state product of the state of Washington is a figure that has been published in a booklet put out by the Office of Program Planning and Fiscal Management. It is a figure that is composed of three spending factors: Personal spending, government spending, and business spending. And as you see, the amendment proposes to eliminate one of those three factors by excluding the government spending. The purpose of this is to make it impossible for the state government to boost, by its own bootstraps, so to speak--to boost itself into a higher spending position in future bienniums by increasing spending that may come, say, from the federal revenue sharing plan. In other words, what we have done is picked out a constant factor; namely, the gross state product being composed of personal and business spending. I think it would be appropriate to comment, in view of Representative Luders' remarks, that our ratio of spending tax take to gross state product in the 1971-73 biennium is a fair and good period to pick."

Representatives Bagnariol and Moon spoke against adoption of the amendment by Representatives Eikenberry, Cunningham and Polk to Substitute House Joint Resolution No. 17, and Representative Barden spoke in favor of it.

Representatives Cunningham and Eikenberry spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Eikenberry, Cunningham and Polk to Substitute House Joint Resolution No. 17, and the amendment was lost by the following vote: Yeas, 35; nays, 63; not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Jueling, Julin, Kelley, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Warnke.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

## SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House the Apple Blossom Court from Wenatchee, and requested that Representatives Curtis, Tilly, Eikenberry, Haussler, Flanagan and Hansen conduct them to a place on the rostrum.

The Speaker (Mr. O'Brien presiding): "We are privileged and honored to have the Apple Blossom Court with us. Princess Cami Duvauchelle is the daughter of Burelle Duvauchelle. Cami was born in Hawaii and has three brothers and one sister. Her hobbies include swimming and bicycling. Princess Jill Penhallegon is the daughter of R. C. Penhallegon. She has two brothers. Jill enjoys horseback riding, hunting and skiing. Queen Deloma Ensley is the daughter of George Ensley. She has one sister and two brothers. Deloma enjoys music, swimming and bicycling. This royal court has made twenty-five appearances. Their first parade will be at the Puyallup Valley Daffodil Festival on April 14. Deloma, we would be pleased to hear from you."

Apple Blossom Queen, Deloma Ensley: "My two princesses and I would like to thank you very, very much for having us here. We would also like to invite you to our Festival which starts April 27 and runs through May 5. We would enjoy seeing all of you there. And, Mr. Speaker and members of the House, we would like to give you something to munch on. They are Aplets and Cotlets, and we hope you enjoy them. Thank you very, very much."

The Speaker (Mr. O'Brien presiding): "It is a great pleasure for us to have you here, and I know that your Apple Blossom Festival will be a great success as it has been in the past. We certainly wish you the best of luck."

The escort committee escorted the Apple Blossom Court from the rostrum.

MOTION

On motion of Mr. Morrison, Mr. Berentson was excused from further proceedings under the Call of the House.

The Speaker assumed the Chair.

The House resumed consideration of Substitute House Joint Resolution No. 17 on second reading.

Mr. Charnley moved adoption of the following amendment by Representatives Charnley, Luders, Chatalas, King, Goltz, Bagnariol, Sommers, Williams, Fortson, Eng, Clemente, Smith, Savage, Bauer, Maxie, Charette, Erickson, Valle, Perry, Laughlin, Bender, Hansen, Ehlers, Wojahn and Douthwaite:

On page 1, strike everything after line 7 and insert the following:

"Article VII, section 14. (1) Notwithstanding any other provision of this Constitution, the legislature shall have the power to impose a tax upon or measured by net income, as defined by the legislature, at graduated or nongraduated rates which may be different for individuals and for corporations, respectively.

(a) The rate of any net income tax imposed by the state upon individuals shall not exceed eight percent.

(b) The rate of any net income tax imposed by the state upon corporations shall not exceed twelve percent.

(2) With respect to property taxes due and payable in the first calendar year following the effective date of the enactment of a state net income tax statute and in subsequent years, no school district shall impose a tax upon property pursuant to the provisions of paragraph (a) of Section 2, as now or hereafter amended, of this Article VII, except for capital purposes.

(3) Within six months after the effective date of a state net income tax and during the time such tax is in effect:

(a) No tax which is essentially of the same type as that imposed as of January 1, 1973 by session law sections 82.08.010, 82.08.020, and 82.08.040 through 82.08.140, as amended, or sections 82.12.010, 82.12.020, and 82.12.040 through 82.12.080, chapter 15, Laws of 1961, as amended, (sales and use taxes) shall be imposed by the state at a rate greater than four percent; and

(b) Food products for off-premises human consumption and prescription drugs shall be exempt from any tax essentially of the same type imposed as of January 1, 1973 by session law sections 82.08.010, 82.08.020, and 82.08.040 through 82.08.140, and session law sections 82.12.010, 82.12.020, and 82.12.040 through 82.12.080, chapter 15, Laws of 1961, as amended, and chapter 82.14 RCW and chapter

94, Laws of 1970 ex. sess., as amended (sales and use taxes). For purposes of this provision, the legislature shall have the power to define food products for off-premises human consumption and prescription drugs.

(4) Notwithstanding any other provision of this Constitution, the legislature shall have the power:

(a) To provide for direct payments to an individual or corporation 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.

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."

Mr. Brown moved adoption of the following amendment by Representatives Brown and Parker to the amendment by Representative Charnley and others:

On page 2, line 10 add new subsections as follows:

"(c) The rate of any tax which is essentially of the same type as that imposed as of January 1, 1972 by sections 82.04.010 through 82.04.290, chapter 15, Laws of 1961, as amended ("business and occupation" tax), shall not exceed one-quarter of one percent: PROVIDED, HOWEVER, That this rate limitation shall not be applicable to a corporation or other organization expressly exempt from the provisions of the state net income tax by reason of its nonprofit nature.

(d) Cities, towns, and counties or a combined city-county may not impose a tax essentially of the same type referred to in (4) (c) above in excess of an aggregate rate of one-tenth of one percent."

Representatives Brown and Curtis spoke in favor of the amendment to the amendment, and Representative Charnley spoke against it.

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

Representatives Leckenby, Parker, Smythe and Warnke spoke in favor of the amendment to the amendment, and Representatives Bagnariol and Moon spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Brown and Parker to the amendment by Representatives Charnley and others to Substitute House Joint Resolution No. 17, and the amendment to the amendment was lost by the following vote: Yeas, 48; nays, 49; not voting, 1.

Voting yea: Representatives Amen, Barden, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jueling, Julin, Kelley, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Sommers, Swayze, Tilly, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Perry, Randall, Savage, Shipoch, Smith, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Berentson.

Mr. Brown moved adoption of the following amendment by Representatives Brown and Parker to the amendment by Representative Charnley and others to Substitute House Joint Resolution No. 17:

On page 2, line 22 insert a new section to read as follows:

"(5) With respect to property taxes due and payable in the first calendar year following the effective date of the enactment of a state net income tax and in subsequent years, personal property acquired solely for the purpose of sale, or for the purpose of consuming such property in producing for sale a new article of tangible personal property of which such property becomes an ingredient or component, shall be exempt from ad valorem taxation."

Mr. Brown spoke in favor of the amendment to the amendment.

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

#### POINT OF INQUIRY

Mr. Brown yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Brown, in order to clarify this, I would like to know whether you have information as to the definition of goods bought and sold here in this definition which is ordinarily called 'inventory.' Does this include livestock that is placed into feedlots for the purpose of fattening, etc.? Do you have information on this?"

Mr. Brown: "Mr. Flanagan, that was a low blow. Specifically, no, I can't say definitely that this does include the cattle in your feedlot."

Representatives Kelley, Warnke and Parker spoke in favor of the amendment to the amendment, and Representatives Moon, Charnley and Bagnariol spoke against it.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Brown and Parker to the amendment by Representatives Charnley and others to Substitute House Joint Resolution No. 17, and the amendment to the amendment was adopted by the following vote: Yeas, 59; nays, 38; not voting, 1.

Voting yea: Representatives Amen, Barden, Bauer, Bausch, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Flanagan, Fortson, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jueling, Julin, Kelley, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Matthews, Maxie, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Schumaker, Smith, Smythe, Sommers, Swayze, Tilly, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Beck, Charette, Charnley, Chatalas, Conner, Eng, Erickson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Lysen, Martinis, May, McCormick, Moon, North F., O'Brien, Randall, Savage, Shinpoch, Thompson, Valle, Van Dyk, Williams, Wjahn, and Mr. Speaker.

Not voting: Representative Berentson.

## STATEMENT FOR THE JOURNAL

My vote on the second Brown/Parker amendment to the Charnley amendment to Substitute House Joint Resolution No. 17 should be "Nay". I distinctly remembered voting "nay."

PEGGY JOAN MAXIE, 37th District.

## MOTION FOR RECONSIDERATION

Mr. Perry, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Representatives Brown and Parker to the amendment by Representative Charnley and others to Substitute House Joint Resolution No. 17 was adopted.

Representatives Perry, Randall, Charnley and Bagnariol spoke in favor of the motion, and Representative Brown spoke against it.

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

Representatives Laughlin, King and Moon spoke in favor of the motion by Mr. Perry, and Representatives Curtis, Leckenby, Hoggins, Schumaker and Brown spoke against the motion.

Mr. Pardini demanded the previous question and the demand was sustained.



## ROLL CALL

The Clerk called the roll on the motion by Mr. Perry to reconsider the vote by which the amendment by Representatives Brown and Parker to the amendment by Representative Charnley and others to Substitute House Joint Resolution No. 17 was adopted, and the motion was carried by the following vote: Yeas, 50; nays, 47; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Perry, Randall, Savage, Shinpoch, Smith, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bausch, Bender, Benitz, Blair, Bluechel, Brown, Clemente, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kelley, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Sommers, Swayze, Tilly, Warnke, Wilson, Zimmerman.

Not voting: Representative Berentson.

## MOTIONS

Mr. Charette moved that the House dispense with further business under the Call of the House.

The motion was carried on a rising vote.

On motion of Mr. Charette, the House was recessed until 2:00 p.m.

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AFTERNOON SESSION  
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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Berentson who was excused.

The Speaker resumed the Chair.

Mr. Charette demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Charette, the House proceeded with business under the Call of the House.

#### SECOND READING

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 17, by Representative Randall:

Authorizing a state net income tax.

The House resumed consideration of the resolution.

#### RECONSIDERATION

The Speaker stated the question before the House to be the amendment by Representatives Brown and Parker to the amendment by Representative Charnley and others to Substitute House Joint Resolution No. 17.

Mr. Perry spoke against adoption of the amendment to the amendment.

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

Representatives Kelley, Kraabel and Brown spoke in favor of the amendment by Representatives Brown and Parker to the amendment by Representative Charnley and others, and Representatives Savage and Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on the reconsideration of the adoption of the amendment by Representatives Brown and Parker to the amendment by Representative Charnley and others to Substitute House Joint Resolution No. 17, and the amendment was lost by the following vote: Yeas, 49; nays, 49; not voting, 0.

Voting yea: Representatives Amen, Barden, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Juelling, Julin, Kelley, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Sommers, Swayze, Tilly, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Perry, Randall, Savage, Shinpoeh, Smith, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

## MOTION

Mr. Rabel moved that the Committee on Ways and Means - Revenue be relieved of HOUSE BILL NO. 386, and that the bill be placed at the bottom of today's second reading calendar.

Mr. Rabel spoke in favor of the motion.

## RULING BY THE SPEAKER

The Speaker: "Representative Rabel, please confine your remarks to the motion rather than the merits of the bill. I have allowed you to go rather far afield, because I think your motion has so much merit."

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

The Speaker: "Representative Rabel, please speak only to your motion to move the bill out of committee."

Mr. Rabel concluded his remarks.

Representative Bagnariol spoke in favor of the motion by Mr. Rabel.

## RULING BY THE SPEAKER

The Speaker: "Representative Bagnariol, may I remind you to confine your remarks to the motion."

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

## ROLL CALL

The Clerk called the roll on the motion by Mr. Rabel to relieve the Committee on Ways and Means - Revenue of House Bill No. 386 and place it on the bottom of today's second reading calendar, and the motion was carried by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, BarGen, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

The House resumed consideration of Substitute House

Joint Resolution No. 17 on second reading.

Mr. Pardini moved adoption of the following amendment to the amendment by Representative Charnley and others:

On page 1, in subsection (a) line 2, strike "eight" and insert "three" and in subsection (b), line 2 strike "twelve" and insert "five"

Mr. Pardini spoke in favor of the amendment to the amendment, and Mr. Moon spoke against it.

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

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Hoggins.

Mr. Hoggins: "Representative Pardini, I am curious about the \$63 million inventory tax question and the differences that were mentioned here on the floor. Could you clarify this, please?"

Mr. Pardini: "I will attempt to clarify it for you. As the Chief Clerk knows, my amendment has been on the desk, Representative Hoggins, and it has been bouncing back between the five percent rate for corporations to six and one-half percent. I adjusted it to six and one-half percent when we hung the inventory amendment on the constitutional amendment. Then we were dealing with inventories. When it was stripped off, I had to go back up and change the six and one-half percent rate back to the five percent rate which I am proposing. The inventory tax does not enter into the question of the constitutional amendment because we did not adopt it. We did not add it into the constitutional amendment, and the constitutional amendment as presently constituted before us now, deals with only the question of special levies, the sales tax reduction to four percent, and the exemption for food and drugs. There is no consideration of the inventory tax in Representative Charnley's amendment as it now stands."

Representatives Bagnariol and Charnley spoke against the amendment to the amendment.

#### DIVISION OF QUESTION

Mr. Barden: "Mr. Speaker, under House Rule No. 60, 'Any member may call for a division of a question, which shall be divided if it embraces subjects distinct....' All of the arguments on Representative Pardini's amendment, Mr. Speaker, have been because of the question of the taxes on business. I would submit that perhaps we should divide this question so that the little people, the taxpayers of the state, the workers of the state will get their own vote, so we can see if we want to put limits in the Constitution on their personal income tax and that the vote will not be cluttered up with this issue of the business tax burden. Therefore, I call, under Rule 60, for a

division of the question."

The Speaker: "I think I will have to call on you again, if you wish to make a motion."

Mr. Barden: "Mr. Speaker, it says I can call for one. It doesn't say it has to be a motion and voted on. It just says if the two matters are distinct, that any member may call for the division, and that is what I am doing."

#### POINT OF ORDER

Mr. O'Brien: "Reed's Rule No. 152 entitled 'Division -continued--Who May Demand It: A division cannot be demanded as of right by any member. It must be made pursuant to a motion stating precisely the division asked for, which motion can be amended. The presiding officer can decide, subject to an appeal to the assembly, that the division proposed cannot be made. Otherwise, it is submitted to the assembly and decided by it...'"

#### MOTION

Mr. Barden moved that the question be divided, and the amendment in subsection (a) line 2, dealing with the personal income tax, be considered before the limitation for the business tax which is subsection (b), line 2.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Perry.

Mr. Perry: "I wonder, so I might vote on the question intelligently, if you could briefly explain the yield at three percent, what the current state budget is, what your proposal does insofar as the total package that we are considering in the way of raising money, and in effect, where are we with your proposal?"

Mr. Pardini: "A three percent flat rate for individuals, based on federal adjusted gross income, with a \$1,000 personal exemption, would yield, to the best interpretation I can make, approximately \$675 million. And in exchange for that we would be giving, according to the same figures from the Department of Revenue, relief of approximately \$603 million under the proposed amendment that we have before us. The \$603 million is composed of \$325 million in special levy relief, \$103 million of relief to individuals through the reduction of the sales tax to four percent; \$175 million in exemptions by removing food and drugs from the sales tax completely. In relationship to where we are in total revenues now being collected, Representative Perry, that would probably be just a little bit higher than what we are doing at the present time."

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Charnley.

Mr. Charnley: "Mr. Pardini, I heard no mention of any reduction of tax due to medical deductions, which I presume would be included in an income tax."

Mr. Pardini: "I did not give those figures, Representative Charnley. If we were to include the \$1,000 personal exemption plus medical, we would raise approximately \$625 million as compared with the \$603 million in cuts that we are giving. That brings us into even a closer balance. I would be most happy to co-sponsor with you any type of legislation that would give the medical deduction."

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Flanagan.

Mr. Flanagan: "I assume that this is a flat rate of three percent?"

Mr. Pardini: "In reading the constitutional amendment that Representative Charnley proposes, he says 'rates up to eight percent.' My amendment would be '...up to three percent.'"

Mr. Flanagan: "I mean in computing the dollars, would that be a three percent flat rate?"

Mr. Pardini: "That's right."

The Speaker stated the question before the House to be the motion by Mr. Barden to divide the question.

The motion was lost.

The Speaker stated the question before the House to be the amendment by Representative Pardini to the amendment by Representative Charnley and others to Substitute House Joint Resolution No. 17.

Mr. Pardini spoke again in favor of the amendment, and Mr. Chatalas spoke against it.

#### ROLL CALL

The Clerk called the roll on the amendment by Mr. Pardini to the amendment by Mr. Charnley and others to Substitute House Joint Resolution No. 17, and the amendment was lost by the following vote: Yeas, 39; nays, 59; not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Juelling, Julin, Kopet, Kraabel, Kuehnle, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite,

Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Mr. Amen moved adoption of the following amendment by Representatives Amen, Hoggins and Douthwaite to the amendment by Representative Charnley and others to Substitute House Joint Resolution No. 17:

On page 1, line 18 strike the period and insert " : PROVIDED HOWEVER, An excess levy may be imposed by a school district for purposes not otherwise funded by the state: PROVIDED FURTHER, That the amount of any such levy payable in any tax year shall not exceed ten percent of the operating budget of such district for the last budget year completed prior to such tax year, such operating budget to be determined for purposes of this section by excluding therefrom the revenues derived from any such levy"

Representatives Amen and Douthwaite spoke in favor of the amendment and Representative Luders spoke against it.

#### POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Rabel.

Mr. Rabel: "Representative Amen, I was very interested in the language which exists in the second line of your amendment, '...for purposes not otherwise funded by the state.' In your opinion, would this include salary supplements to regular instructional personnel who are otherwise being funded by the state, or would 'for purposes not otherwise funded by the state' restrict it to programs which were not given basic support in state school funding?"

Mr. Amen: "I think it probably could depend on the school board, but my thinking is that this certainly would not apply to salaries, but any special program--any program that any school board or its administrators decide they want to carry, above what was being funded by the state."

Representatives North (Lois), Flanagan and Hoggins spoke in favor of the amendment to the amendment, and Representatives Van Dyk, Bagnariol, Fortson, Smythe, Thompson and Knowles spoke against it.

Mr. Amen spoke again in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Kilbury.

Mr. Kilbury: "Your proviso provides that an excess levy for purposes not otherwise funded by the state shall

be limited to ten percent of the operating budget. Did you intend that this apply to a capital improvement which is an excess levy?"

Mr. Amen: "Not to capital improvements, no. It is to the operating budget as stated here."

Mr. Freeman spoke in favor of adoption of the amendment by Representatives Amen, Hoggins and Douthwaite to the amendment by Representative Charnley and others.

The amendment to the amendment was lost on a rising vote.

#### MOTION

Mr. Charnley moved that the Committee on Ways and Means - Revenue be relieved of HOUSE BILL NO. 509, and that it be placed on today's second reading calendar immediately ahead of House Bill No. 386.

Mr. Charnley spoke in favor of the motion.

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

Representatives Bagnariol and Pardini spoke in favor of the motion by Mr. Charnley.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Charnley that the Committee on Ways and Means - Revenue be relieved of House Bill No. 509 and that the bill be placed on today's second reading calendar immediately ahead of House Bill No. 386, and the motion was carried by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Moon, and Mr. Speaker.

The House resumed consideration of Substitute House Joint Resolution No. 17 on second reading.

Mrs. Hurley moved adoption of the following



amendment to the amendment by Representative Charnley and others:

On page 2, strike lines 7, 8 and 9

Mrs. Hurley spoke in favor of the amendment to the amendment, and Mr. Moon spoke against it.

The amendment by Mrs. Hurley to the amendment by Mr. Charnley and others was lost on a rising vote.

#### MOTION

Mr. Smythe moved that the Committee on Ways and Means - Revenue be relieved of HOUSE BILL NO. 1020 and that it be placed on today's second reading calendar immediately ahead of House Bill No. 509.

Mr. Smythe spoke in favor of the motion.

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

Mr. Randall spoke against the motion by Mr. Smythe, and Mr. Curtis spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Smythe to relieve the Committee on Ways and Means - Revenue of House Bill No. 1020, and place it on today's second reading calendar immediately ahead of House Bill No. 509, and the motion was lost by the following vote: Yeas, 41; nays, 57; not voting, 0.

Voting yea: Representatives Amen, Barden, Bauer, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Ehlers, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Jueling, Julin, Kopet, Kuehnle, Laughlin, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Mr. Kraabel moved adoption of the following two amendments to the amendment by Mr. Charnley and others to Substitute House Joint Resolution No. 17:

On page 1, line 6 after "income" strike all material down to and including the comma on line 7

On page 1, line 8 after "respectively" and before the period insert ": PROVIDED, That "net income" as used in this section shall mean taxable income as defined by the United States Internal Revenue Code, as amended from time

to time"

Mr. Kraabel spoke in favor of the amendments to the amendment.

The Speaker called on Mr. O'Brien to preside.

Mr. Flanagan spoke in favor of adoption of the amendments to the amendment, and Representatives Charnley and Smith spoke against their adoption.

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

Mr. King spoke against adoption of the amendments to the amendment.

#### POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Pullen.

Mr. Pullen: "I gather your principle objection is to the various loopholes present in the use of 'net taxable income.' Would you support a similar amendment if the words 'adjusted gross income' were used instead?"

Mr. Charnley: "I hesitate only because of my lack of knowledge as to exactly what that covers and what it doesn't. What I want to have us be able to do in the state is develop our own set of systems that will be as equitable as possible. If, as you suggest, 'adjusted gross income' would give us that flexibility and that ability, then I would support that. Otherwise, I would not. That is the best I can answer you now, since I am not aware of any specific details on that."

Representative Kuehnle spoke in favor of the amendments to the amendment by Representative Kraabel by Representative Charnley and others, and Representatives Ehlers and Perry spoke against them.

Mr. Kraabel closed debate, speaking in favor of the amendments to the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendments by Mr. Kraabel to the amendment by Mr. Charnley and others to Substitute House Joint Resolution No. 17, and the amendments were lost by the following vote: Yeas, 37; nays, 61, not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Jueling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Brown, Ceccarelli,

Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Mr. Kuehnle moved adoption of the following amendment to the amendment by Mr. Charnley and others to Substitute House Joint Resolution No. 17:

On page 1, line 12 after "percent." insert a new subsection as follows:

"(c) Increases in the value of property which occurred prior to the effective date hereof shall not be subject to taxation hereunder."

Mr. Kuehnle spoke in favor of the amendment to the amendment, and Mr. Moon spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to the amendment by Mr. Charnley and others to Substitute House Joint Resolution No. 17, and the amendment was adopted by the following vote: Yeas, 52; nays, 46; not voting, 0.

Voting yea: Representatives Amen, Barden, Bauer, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Freeman, Garrett, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Jueling, Julin, Kelley, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Smythe, Swayze, Tilly, Van Dyk, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bausch, Beck, Bender, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Warnke, Williams, Wojahn.

On motion of Mrs. Hurley the following amendment to the amendment by Mr. Charnley and others to Substitute House Joint Resolution No. 17 was adopted:

On page 1, line 18 strike "purposes" at the end of the line and insert "construction purposes or the acquisition of land"

Mr. Smythe moved adoption of the following amendment by Representatives Smythe and Charnley to the amendment by Representative Charnley and others to Substitute House Joint Resolution No. 17:

On page 1, line 18 strike the period and insert " : PROVIDED HOWEVER, A special levy may be imposed by a school district for purposes defined as unique and different programs not otherwise funded by the state: PROVIDED FURTHER, That the amount of any such levy payable in any tax year shall not exceed ten percent of the operating budget of such district for the last budget year completed prior to such tax year, such operating budget to be determined for purposes of this section by excluding therefrom the revenues derived from any such levy."

Mr. Smythe spoke in favor of the amendment to the amendment, and Mr. Bagnariol spoke against it.

The amendment to the amendment was lost on a rising vote.

#### POINT OF ORDER

Mr. Swayze: "Mr. Speaker, the vote total which was announced totals 93. We are under Call of the House."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "In connection with your point of order, Mr. Swayze, I could cite a ruling by the Speaker in the 1963 session of the legislature where it was held that it was very difficult to determine how members voted under a division because of the lack of a roll call. Since you raised the question, it is our conclusion now to have the division again, and ask each member to stand by his or her desk until counted."

Mr. Chatalas demanded an electric roll call.

The Speaker (Mr. O'Brien presiding): "Your request for an electric roll call is out of order since we are in the process of voting and a technicality has been raised about the total number being present to vote under the Call of the House."

The amendment by Representatives Smythe and Charnley to the amendment by Representative Charnley and others to Substitute House Joint Resolution No. 17 was lost on a rising vote.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representatives Charnley and others as amended by Representatives Kuehnle and Hurley.

The amendment as amended was adopted.

Substitute House Joint Resolution No. 17 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTIONS

On motion of Mr. Charette, the House dispensed with

further business under the Call of the House.

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

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Friday, March 23, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FIFTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 23, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Julin who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend A. Homer Demopoulos of Saint Demetrios Greek Orthodox Church of Seattle.

## SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced the Reverend E. Anthony Tomaras of St. Nicholas Greek Orthodox Church of Tacoma who was present on the rostrum along with the Reverend Demopoulos.

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

## MESSAGES FROM THE SENATE

March 22, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2088,

SENATE BILL NO. 2139,

ENGROSSED SENATE BILL NO. 2256,

ENGROSSED SENATE BILL NO. 2382,

ENGROSSED SUBSTITUTE SENATE BILL NO. 2473,

ENGROSSED SENATE BILL NO. 2513,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 22, 1973

Mr. Speaker:

The Senate has passed:

HOUSE JOINT RESOLUTION NO. 10,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 21, 1973

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2071 and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Bauer, the House refused to recede from its amendments to Engrossed Senate Bill No. 2071, and asked the Senate for a conference thereon.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Bauer, Knowles and Smythe as members of the Conference Committee on Engrossed Senate Bill No. 2071.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1088, by Representatives Bauer, Thompson, Laughlin, Smythe and Zimmerman:

AN ACT Relating to employees on public works; and amending section 1, chapter 28, Laws of 1972 ex. sess. and RCW 39.16.005.

To Committee on Labor.

HOUSE JOINT MEMORIAL NO. 23, by Representatives Douthwaite, Van Dyk, Charnley, Luders, North (Lois) and Kraabel:

Requesting the U. S. Department of Transportation to implement the Ports and Waterways Safety Act.

To Committee on Transportation and Utilities.

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

AN ACT Relating to business and professions; 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; 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; adding new sections to chapter 18.15 RCW; and adding a new section to chapter 18.18 RCW.

To Committee on Commerce.

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.

To Committee on Commerce.

ENGROSSED 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.

To Committee on Social and Health Services.



ENGROSSED 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; adding a new section to chapter 35.82 RCW; and declaring an emergency and making an effective date.

To Committee on Social and Health Services.

ENGROSSED SENATE BILL NO. 2382, by Senator Woody (by Washington Judicial Retirement Board request):

AN ACT Relating to the Washington judicial retirement system; amending section 15, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.150.

To Committee on Judiciary.

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.

To Committee on Judiciary.

ENGROSSED 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.

To Committee on Constitution and Elections.

ENGROSSED SENATE BILL NO. 2435, by Senators Day, Atwood and Durkan:

AN ACT Relating to public health; amending section 7, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.070; amending section 2, chapter 77, Laws of 1972 ex. sess. and RCW 70.96.C96; 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.

To Committee on Ways and Means - Appropriations.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2473, by Committee on Social and Health Services (Originally sponsored by Senators Day and Scott):

AN ACT Relating to the practice of massage; adding a new chapter to Title 18 RCW; and prescribing penalties.

To Committee on Social and Health Services.

ENGROSSED 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.

To Committee on Local Government.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2634, by Committee on Local Government (Originally sponsored by Senators Clarke, Guess and Fleming - by Executive request):

AN ACT Relating to buildings; and adding a new chapter to Title 19 RCW.

To Committee on State Government.

#### MOTION

Mr. Thompson moved that all bills and memorials printed on today's agenda be considered first reading under the fourth order of business and be referred to the committees so designated.

The motion was carried.

#### REPORTS OF STANDING COMMITTEES

March 22, 1973

HOUSE BILL NO. 607, Prime Sponsor: Representative Gallagher, regulating tow trucks, reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Gallagher, Leckenby, O'Brien, Perry, Randall, Williams.

March 21, 1973

HOUSE BILL NO. 611, Prime Sponsor: Representative Zimmerman, providing public water supply system planning, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Fortson, Freeman, Hendricks, Jastad, Matthews, Savage, Smythe, Wojahn, Zimmerman.

March 21, 1973

HOUSE BILL NO. 769, Prime Sponsor: Representative Kopet, 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 with the following amendment:

On page 2, section 1, line 3 after "located" and before the period insert ": PROVIDED HOWEVER, That before such bidding is entertained notice shall be given to the owners of lands adjoining this real property and such owners shall have a right of first refusal to purchase at the appraised price all or any part of the real property which adjoins or is adjacent to their land, pursuant to the procedures for notice and sale under RCW 87.03.820"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Fortson, Freeman, Hendricks, Jastad, Matthews, Savage, Smythe, Wojahn, Zimmerman.

March 20, 1973

HOUSE BILL NO. 895, Prime Sponsor: Representative Bender, relating to public health, safety and welfare, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, following the enacting clause strike the remainder of the bill and insert:

"NEW SECTION. Section 1. The legislature finds that the continued population growth of urban areas in this state has created special problems for school age children. Urban arterial construction since 1967 has relieved traffic congestion and made the operation of motor vehicles along such roads safer and more convenient. However, children of tender years traversing such arterials to and from school have become the victims of accidents caused by the lack of proper walkways or sidewalks along such arterials in the vicinity of schools. Therefore, it is the intent of the legislature that a portion of the funds available in the urban arterial trust fund account be dedicated for the construction of walkways or sidewalks along urban arterials if walkways or sidewalks are not already in existence.

Sec. 2. Section 22, chapter 83, Laws of 1967 ex.

sess. as amended by section 1, chapter 291, Laws of 1971 ex. sess. and RCW 47.26.160 are each amended to read as follows:

The urban arterial board shall:

(1) Adopt rules and regulations necessary to implement the provisions of this chapter relating to the allocation of funds in the urban arterial trust account of the motor vehicle fund to counties and cities.

(2) Adopt reasonably uniform design standards for city and county arterials, including the provision for walkway or sidewalk facilities, which meet the requirements for urban development.

(3) Report biennially on the first day of November of the even-numbered years to the state highway commission and the joint committee on highways regarding progress of cities and counties in developing long range plans for their urban arterial construction and programming or urban arterial construction work and the allocation of urban arterial trust funds to the cities and counties.

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 July 1, 1973."

On page 1, line 1 of the title after "welfare" and before the period insert the following: "along urban arterials; amending section 22, chapter 83, Laws of 1967 ex. sess. as amended by section 1, chapter 291, Laws of 1971 ex. sess. and RCW 47.26.160; creating a new section; prescribing an effective date; and declaring an emergency"

Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender, Brown, Clemente, Ehlers, Fortson, Hendricks, Johnson, Lysen, Warnke.

March 20, 1973

HOUSE BILL NO. 1051, Prime Sponsor: Representative Johnson, authorizing 180 days accumulated sick leave toward teachers retirement credit, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender, Clemente, Ehlers, Eng, Fortson, Johnson, Lysen, Warnke.

March 21, 1973

HOUSE CONCURRENT RESOLUTION NO. 35, Prime Sponsor: Representative Parker, authorizing a study of VD and its detection, treatment and prevention, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Fortson, Freeman, Hendricks, Jastad, Matthews, Savage, Smythe, Wojahn, Zimmerman.

March 22, 1973

SENATE BILL NO. 2268, Prime Sponsor: Senator Bottiger, enacting the land sales disclosure act, reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Gallagher, Leckenby, O'Brien, Perry, Randall, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Garrett, Gilleland, Kuehnle.

## MOTIONS

Mr. Thompson moved that all standing committee reports listed on today's fifth order of business be passed to Committee on Rules for second reading.

Mr. Curtis moved to amend the motion and rerefer HOUSE BILL NO. 607 and SENATE BILL NO. 2268 to the Committee on Commerce.

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "I want to call your attention, Mr. Curtis, to House Rule No. 25 which states: 'Upon being reported back by committee, all bills shall go the Rules Committee.' Therefore it requires a suspension of the rules to rerefer these bills to Commerce Committee. Under the rules pertaining to motions to suspend the rules, we will have one speaker only on each side of the motion to amend the motion by Mr. Thompson."

## MOTION

Mr. Kuehnle moved that the question be divided.

The motion to divide the question was lost.

With the consent of the House, Mr. Curtis withdrew his motion to amend the motion by Mr. Thompson.

## MOTION

Mr. Kuehnle moved to amend the motion by Mr. Thompson and rerefer SENATE BILL NO. 2268 to the Committee on Commerce.

Mr. Kuehnle spoke in favor of the motion and Mrs. Wojahn spoke against it.

## POINT OF INQUIRY

Mr. Pardini: "Will Mrs. Wojahn yield to question?"

Mrs. Wojahn refused to yield to question.

Mr. Pardini: "Will Mr. Gallagher yield to question?"

Mr. Gallagher refused to yield to question.

Mr. Pardini: "Will Mr. Perry yield to question?"

Mr. Perry refused to yield to question.

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Under a suspension of the rules, when one person speaks for and another person speaks against an issue, I would think that another person getting into the discussion would be out of order."

Mr. Pardini: "I am not going to get into the discussion. I am just wondering what procedure occurred in the committee, Mr. Speaker, because I was about twenty minutes late getting to the committee meeting. I am a member of the committee. I really want to know what happened, and I am trying to clarify that."

The Speaker (Mr. O'Brien presiding): "Perhaps if you got the minutes of the meeting, you would be informed."

Mr. Pardini: "May I ask Mr. Charnley if he would yield to a question?"

Mr. Charnley refused to yield to question.

Mr. Pardini: "Will Mr. Leckenby yield?"

The Speaker (Mr. O'Brien presiding): "You are a little bit out of order, but go ahead."

#### POINT OF INQUIRY

Mr. Leckenby yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Leckenby, were there any amendments allowed to be offered in the committee meeting yesterday on Senate Bill No. 2268?"

Mr. Leckenby: "As I recollect, there was an announcement made by the Chairman that there would be no time for amendments. After discussion by Mr. Kuehnle, the Chairman allowed him, I think, not more than five minutes to discuss amendments. Then before amendments were considered, the bill was brought up for final passage."

#### PERSONAL PRIVILEGE

Mr. Garrett: "I rise only to state that I have prepared on my desk a Journal entry that I wish entered concerning the conduct of that meeting yesterday morning. I will present it immediately."

The Speaker (Mr. O'Brien presiding) stated the

question before the House to be the motion to suspend the rules and rerefer Senate Bill No. 2268 to the Committee on Commerce.

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

#### PARLIAMENTARY INQUIRY

Mr. Eikenberry: "The Speaker has referred to this as a suspension of the rules. I am wondering if that was an intentional remark, or if in fact, this is simply a motion requiring a bare majority."

#### REPLY BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "The Speaker recites again House Rule No. 25 which pertains to bills: 'Upon being reported back by committee, all bills shall go the Rules Committee.' This is a motion to by-pass this rule and rerefer Senate Bill No. 2268 to the Committee on Commerce."

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Kuehnle to amend the motion by Mr. Thompson and rerefer Senate Bill No. 2268 to the Committee on Commerce, and the motion was lost by the following vote: Yeas, 41; nays, 55; not voting, 2.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Hansen, Julin.

#### STATEMENT FOR THE JOURNAL

I wish to express my complete disapproval of the way Commerce Committee Chairman, Lorraine Wojahn, is conducting the meetings of that Committee.

When a member of this Committee is not even allowed to offer an amendment to a bill before that committee and is told, "I disagree with that, you are out of order." and "We don't have time to listen to your amendment." and then

adjourns the meeting 30 minutes before the time allotted, then I believe that is a complete travesty of the legislative process. I do not believe that Representative Wojahn is conducting herself as a Chairman of a Committee in a manner that is in the best interests of the people of the state.

DONALD G. GARRETT, 14th District.

#### STATEMENT FOR THE JOURNAL

I would like to strenuously protest the Committee on Commerce report which brings Senate Bill No. 2268 and House Bill No. 607 out of committee and into Rules. Commerce Committee Chairman, Lorraine Wojahn, has conducted herself in a completely arbitrary and irresponsible manner on this subject, as evidenced by the following facts:

On Tuesday, March 20th, we spent a very few minutes discussing House Bill No. 136--the Land Sales Disclosure Act. At that time, Chairwoman Wojahn made every possible effort to stifle discussion, to thwart the amendatory process, and to belittle those who raised any questions relative to the bill. Mr. Bruce Gardner, representing the railroad interests, was present and offered some very valid new information relating to problems contained in the bill as regards mineral rights and other similar interest on lands which were owned or which were at one time owned by the railroads. Mrs. Wojahn virtually refused to even listen to his testimony or to accept his amendments. Both Representative Garrett and I, being familiar with the real estate industry, attempted to offer amendments which we felt substantially improved the bill. One of my amendments was accepted by the committee. One was rejected. Time ran out before we got to the consideration of Representative Garrett's amendments.

On Wednesday, March 21st, the members of the Commerce Committee received a notice of a Commerce Committee meeting to be held at 8:00 on Thursday morning, March 22nd, with the agenda to be announced--no indication of the bills to be considered. The Thursday morning meeting finally was called to order when a quorum arrived at approximately 8:15 a.m. Mrs. Wojahn announced her intention to consider Senate Bill No. 2268 (which is the Senate duplicate and counterpart to House Bill 136). A motion was immediately made by one of the Democrat members of the committee to move the bill out do pass. Representative Garrett and I protested and asked that time be allowed for consideration of the same amendments which we had discussed the prior Tuesday as related to House Bill No. 136, and additionally, we asked for time to discuss the other amendments which were prepared, on the members' desks for consideration, and most pertinent to either House Bill No. 136 or Senate Bill No. 2268. Mrs. Wojahn announced that it was her opinion that the amendments were unnecessary; she didn't like the amendments and had no intention considering them. She also indicated that we were short on time and that we had to adjourn the meeting by 9:00 and, therefore, she wouldn't accept the amendments. She then called for a vote on passage of Senate Bill No. 2268 and it was passed out of committee with all Democrats in attendance voting "aye" over the objections of those of



us who wanted to try to perfect the bill.

Representative Wojahn then announced that we would consider House Bill No. 607 dealing with the regulation of tow trucks. House Bill No. 607 had, some six weeks before, been indefinitely postponed by the committee after a subcommittee appointed by the chairman had failed to come up with language acceptable to the committee. There was absolutely no discussion on House Bill No. 607. The question was called for and again all Democrat members of the committee moved the bill out do pass without discussion. The meeting was then adjourned at 8:24 a.m. even though the remaining time slot up until 9:00 a.m. was available to us to perfect both of these pieces of legislation.

I am of the opinion that it is the responsibility of this legislature, both in committee and on the floor, to responsibly consider legislation which has been introduced, to draw upon the expertise of all members present, to offer a free exchange of information, and to then take action after all viewpoints have been heard. If it is to be the policy of the majority in control of this House of Representatives to allow a committee chairman to determine whether a bill shall pass or not pass, to determine whether amendments shall be considered or whether they shall not, it would be my suggestion that henceforth the committee chairman indicate on the notice of the committee meeting whether (A) we are going to have a legitimate hearing and responsibly address ourselves to the legislation, or (B) the committee chairman intends to railroad a piece of legislation without regard for the input of the other members of the committee, in which case there is absolutely no point in the minority members of the committee bothering to attend.

It is a sorry state of affairs when a committee chairman takes it upon herself to make the decisions in behalf of a committee of 18, and in essence to suggest that she is so "all-seeing" as to be in a position to exercise better judgment than would result from the combined input of the 18 members of the committee.

JAMES P. KUEHNLE, 4th District.

#### MOTION

Mr. Curtis moved that the rules be suspended, the motion by Mr. Thompson be amended, and HOUSE BILL NO. 607 be rereferred to the Committee on Commerce.

Mr. Gilleland spoke in favor of the motion, and Mrs. Wojahn spoke against it.

#### POINT OF ORDER

Mr. Kuehnle: "The discussion has nothing to do with Senate Bill No. 2268 or with the Governor."

The Speaker (Mr. O'Brien presiding): "Continue, Mrs. Wojahn."

Mrs. Wojahn concluded her remarks in opposition to the motion.

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

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Curtis to amend the motion by Mr. Thompson and rerefer House Bill No. 607 to the Committee on Commerce, and the motion was lost by the following vote: Yeas, 39; nays, 57; not voting, 2.

Voting yea: Representatives Amen, Barden, Beck, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Hansen, Julin.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Thompson that all standing committee reports listed on the fifth order of business be passed to Committee on Rules for second reading.

The motion was carried.

#### MOTION

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

#### RESOLUTION

HOUSE RESOLUTION NO. 73-58 by Representatives Conner, Swayze and Ceccarelli:

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 the 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 House of Representatives 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 House of Representatives, 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 Chief Clerk of the House of Representatives be and he is hereby ordered to send a copy of this Resolution to the the Reverend A. Homer Demopoulos of the Saint Demetrios Greek Orthodox Church, to the Reverend Sam. G. Poulos of the Greek Orthodox Church of the Assumption, Seattle, to the Reverend E. Anthony Tomaras of the St. Nicholas Greek Orthodox Church of Tacoma, and to the Reverend Nicholas Velis of the Holy Trinity Greek Orthodox Church of Spokane.

Mr. Conner moved adoption of the resolution.

Representatives Conner and Ceccarelli spoke in favor of the resolution, and Mr. Eikenberry spoke against it.

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "You are not speaking on the merits of the resolution. You are out of order, Mr. Eikenberry."

The resolution was adopted.

#### MOTION

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

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTIONS

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

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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AFTERNOON SESSION  
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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Eikenberry.

Mr. Charette demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Eikenberry.

On motion of Mr. Charette, the absent member was excused and the House proceeded with business under the Call of the House.

MOTIONS

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

On motion of Mr. Charette, the House considered immediately Engrossed Substitute House Joint Resolution No. 17 on third reading.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 17, by Committee on Ways and Means - Revenue (Originally sponsored by Representative Randall):

Authorizing a state net income tax.

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

MOTION

Mr. Pardini moved that Engrossed Substitute House Joint Resolution No. 17 be rereferred to the Committee on Ways and Means - Revenue.

Mr. Pardini spoke in favor of the motion.

The Speaker (Mr. O'Brien presiding): "Will you please explain to the House why you want this motion to recommit this measure to the Committee on Ways and Means - Revenue?"

Mr. Pardini concluded his remarks in favor of the motion, and Mr. Bagnariol spoke against it.

Mr. Newhouse spoke in favor of the motion by Mr. Pardini.

#### PERSONAL PRIVILEGE

Mrs. Hayner: "After seven hours of debate yesterday, I awakened at 4:00 a.m., and my heart was filled with terror. Many of you may have had the same feelings of frustration and disappointment and embarrassment because of the complete lack of measurable action that has been taken on the floor of this House in the seventy-four days that we have been sitting here."

The Speaker (Mr. O'Brien presiding): "Mrs. Hayner, I hate to interrupt you, but I don't know what this has to do with your point of personal privilege. I don't think you have been impugned in any way, and I don't understand why you are going into the length of the legislative session. If there is something that has really caused you some consternation, or if you have been insulted, maybe you could explain your position, but I think you are wandering a little bit."

Mrs. Hayner: "I wanted to tell you that I am sure we have done our homework in many cases in the standing committees. We have listened attentively to endless hours..."

The Speaker (Mr. O'Brien presiding): "I am going to have to rule you out of order, Mrs. Hayner. You can talk about this any time. On final passage of the resolution, you will have every opportunity to express your feelings at that time."

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

Representatives Pardini, Cunningham and Flanagan spoke in favor of the motion, and Representatives Moon, Charnley, Chatalas and Smythe spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Pardini to rerefer Engrossed Substitute House Joint Resolution No. 17 to the Committee on Ways and Means - Revenue, and the motion was lost by the following vote: Yeas, 27; nays, 70; not voting, 1.

Voting yeas: Representatives Amen, Benitz,

Bluechel, Cunningham, Curtis, Freeman, Garrett, Gilleland, Hayner, Hendricks, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Newhouse, North L., Pardini, Paris, Polk, Pullen, Schumaker, Swayze, Tilly.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., O'Brien, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Eikenberry.

The Speaker assumed the Chair.

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Joint Resolution No. 17.

Representatives Beck and Charnley spoke in favor of passage of the resolution.

Representative Eikenberry appeared at the bar of the House.

Mr. Bluechel spoke against passage of the resolution.

Mr. Charette demanded an oral roll call and the demand was sustained.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Barden.

Mr. Barden: "Representative Pardini, yesterday the minority party tried to cut back the rates of Engrossed Substitute House Joint Resolution No. 17. I am concerned about the very high rates in this income tax proposal that were insisted upon by the majority party. Do you have any figures as to what the tax increase would be to the citizens of the state of Washington if this bill were implemented at the maximum rates provided for by the majority party?"

Mr. Pardini: "Let me see if I understand your question. You want my estimate of revenue under the maximum rates as proposed in the constitutional amendment, Mr. Barden?"

Mr. Barden: "Yes, that is exactly what I would like, Representative Pardini."

Mr. Pardini: "The work that I did on this in conjunction with the Department of Revenue indicated to me

that the twelve percent corporate rate, if it were enacted at the maximum rate, would increase revenue to the state of Washington \$364 million, and that the cuts proposed in Engrossed Substitute House Joint Resolution No. 17 would be \$150 million, or an increase of \$214 million in the corporate area. In the individual rates, if the 8 percent maximum rate were implemented (and this would be allowing a \$1,000 exemption for everyone off the adjusted gross income) the increased revenue to the state of Washington would be \$1,708,000,000, and the proposed cuts would be \$603 million, for an increase of \$1,105,000,000. The combination of the two would be an increase of \$1,408,000,000. And I have been subsequently informed that my estimates of revenue are, like me, a little on the conservative side."

Representatives Blair, O'Brien, Brown, Fortson, Chatalas and Bagnariol spoke in favor of passage of the resolution, and Representatives Barden, Berentson, Leckenby and Curtis spoke against it.

#### PERSONAL PRIVILEGE

Mr. Charnley: "Ladies and gentlemen: I resent very much the suggestion made here that my promise, made on the floor of this House to work for total tax equity, including B & O, inventory, agricultural relief--I resent very much having that labeled irresponsible. I again repeat to you: I am totally dedicated to that, and I shall continue to work for it."

#### PERSONAL PRIVILEGE

Mr. Curtis: "If that is the case, I owe Representative Charnley an apology. I don't recall my using the word 'irresponsible,' Representative Charnley. I referred to a 'shallow promise' and I referred to a number of referrals made on this floor which I consider to be shallow--not yours, certainly, and if I did impugn you, I do apologize publicly. I'm sorry."

Mr. Moon spoke in favor of passage of the resolution.

#### POINT OF ORDER

Mr. Pardini: "I believe that Mr. Moon has already spoken on the subject twice."

The Speaker: "Mr. Pardini, it is my recollection that Mr. Moon has not spoken on this matter."

Mr. Moon continued his remarks.

#### POINT OF ORDER

Mr. Pardini: "My point of order is that Mr. Moon is not speaking to the resolution before us. He is speaking about negative aspects of political action."

The Speaker: "I don't know what Mr. Moon is referring to, because I certainly have heard nothing negative on the floor of this House today. Would you continue, Mr. Moon."

Representative Moon concluded his remarks in favor of passage of the resolution.

Mr. Kraabel spoke against the resolution, and Mr. Smythe spoke in favor of it.

Mr. Newhouse demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Joint Resolution No. 17, and the resolution failed to pass the House by the following vote: Yeas, 59; nays, 39; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Jastad, Johnson, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hurley, Juelling, Julin, Kalich, Kelley, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, May, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly.

Engrossed Substitute House Joint Resolution No. 17, having failed to receive the constitutional majority, was declared lost.

#### MOTION

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

#### SECOND READING

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.

The House resumed consideration of Substitute House



Bill No. 410 on second reading. (For previous House action, see Journal for twelfth day, March 20, 1973.)

The Speaker stated the question before the House to be the following amendment by Representative Barden:

On page 3, section 2, line 5 after "blind," insert "or" and after "disability assistance" strike the remainder of the section and insert a period

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

On motion of Mr. Kelley, the following amendment by Representatives Kelley, Barden and Maxie was adopted:

On page 1, section 1, line 5 strike "necessary" and insert "desirable"

#### MOTIONS

On motion of Mr. Thompson, the House dispensed with further business under the Call of the House.

On motion of Mr. Kelley, the following amendments by Representatives Kelley, Barden and Maxie were adopted:

On page 3, section 2, line 5 following "and" beginning with "general" strike all material down to and including "recipients," on line 6

On page 3, section 2, line 9 following "plan" beginning with "and" strike all material down to and including line 11 and insert a period

Substitute House Bill No. 410 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 410 was placed on final passage.

Representatives Maxie, Goltz and Kelley spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 410, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze,

Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Matthews, Polk.

Not voting: Representative North F..

Engrossed Substitute House Bill No. 410, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Due to a technical failure, my vote on Substitute House Bill No. 410 was not recorded. It was "yes."

FRANCES NORTH, 47th District.

HOUSE BILL NO. 53, by Representatives Flanagan, Haussler, Newhouse, Van Dyk, Benitz, North (Lois), Amen, Curtis, Garrett, Kilbury, Matthews, Nelson, Pardini, Patterson, Pullen, Schumaker, Tilly, Wilson and Zimmerman (by Permanent Property Tax Committee request):

Providing for taxation of open space, agricultural, and timber lands.

#### MOTION

Mr. Thompson moved that the House defer consideration of House Bill No. 53, and that the bill be placed on tomorrow's second reading calendar.

#### POINT OF INQUIRY

Mr. Newhouse: "Mr. Speaker, are there amendments on the desk?"

The Speaker: "No, there are no amendments. There might very well be amendments by tomorrow."

Mr. Newhouse spoke against the motion.

The motion by Mr. Thompson to defer consideration of House Bill No. 53 was carried.

HOUSE BILL NO. 97, by Representatives Hurley, Zimmerman, Thompson and Hoggins (by Legislative Council request):

Providing for compensation in inverse condemnation cases for loss of value where there is no trespass.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments see Journal for fortieth day, February 16, 1973.)

The bill was read the second time.

Mr. Knowles moved adoption of the committee

amendment adding two new sections.

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

On line 16, section 3 at the beginning of the line strike "taxing" and insert "taking"

On line 16, section 3, after "in the" strike "country" and insert "county"

Mr. Smith moved adoption of the following amendment by Representatives Smith and Kelley to the committee amendment:

On line 3, after "property" strike the remainder of the section and insert "in any unincorporated area of a county which property is located within one-quarter of a mile from the center line of the right of way of such facility and shall be limited to the diminution in the value of property in any incorporated city or town which property is located within one hundred yards of the center line of the right of way of such facility. Where only a portion of a building is located within such one-quarter of a mile distance or such one hundred yard distance, then for purposes of this section the entire building and the land covered by the building shall be considered as being located within such one-quarter of a mile distance or such one hundred yard distance"

Representatives Smith and Kelley spoke in favor of the amendment to the amendment, and Representative Hurley spoke against it.

The amendment by Representatives Smith and Kelley to the committee amendment was adopted.

The Speaker stated the question before the House to be the committee amendment as amended.

The committee amendment as amended was adopted.

Mr. Haussler moved adoption of the following amendment by Representatives Haussler and Amen:

On page 1, section 1, line 7 after "property for" strike "highway or road or street purposes" and insert "state highway purposes as defined in RCW 47.04.010(36)"

Representative Haussler spoke in favor of the amendment, and Representatives Berentson, Douthwaite and Smith spoke against it.

The amendment by Representatives Haussler and Amen to House Bill No. 97 was not adopted.

Mr. Lysen moved adoption of the following amendment by Representatives Lysen and Valle:

On page 1, section 1, line 7 after "property" insert "for aviation purposes or"

POINT OF ORDER

Mr. Knowles: "Would the Speaker examine this amendment on the basis of scope and object? The bill

itself deals with highway purposes and damages as a result thereof. The amendment appears to talk about airport operations."

The Speaker: "Representative Barden, did you wish to speak to this point of order?"

Mr. Barden: "Yes, Mr. Speaker, if I may: Both the bill and the amendment by Representatives Lysen and Valle deal with chapter 8 of the Revised Code of Washington, which is entitled 'Miscellaneous Provisions Relative to Eminent Domain.' Also the thrust of the bill deals with the diminution of value of private property because of noise, vibrations, air pollution, water pollution, loss of view or scenery, or the risk of life or limb because of the act of eminent domain. I would speak on behalf of Representatives Lysen and Valle, and urge you to find that their amendment is in order."

The Speaker: "Representative Barden, the point that bothers the Speaker is that I think you raised the point of order the other day as to whether we were within the scope of the title and the RCW section on farm vehicles by adding the word 'buses.' I think you stated that was beyond the scope and object. I wondered if you think there is a distinction here, in your mind?"

Mr. Barden: "Mr. Speaker, if there is reference to the daylight movement of farm machinery in this bill, it escapes my observation. The point I drew on the previous point of order was that the bill dealt with the daylight movement of farm machinery from one agricultural parcel of land to another. The amendment sought to expand the size of school buses beyond the safe size. That was the distinction that I drew. However, inasmuch as the amendment by Representatives Lysen and Valle deals with the diminution of the value of property caused by noise, vibrations, air pollution, water pollution, loss of view or scenery, or the risk of life or limb, I would hope that the Speaker would rule that these factors could come into account because of the operation of an airport or the operation of a high-speed freeway."

The Speaker: "Mr. Knowles, do you wish to speak to the point of order?"

Mr. Knowles: "I still say this bill deals with eminent domain for highway purposes. It has nothing to do with airports. At the moment I suppose condemnation can be done for that purpose. Maybe Mr. Barden intends to drive his airplane down the highway."

#### MOTIONS

Mr. Charette moved that the House defer further consideration of House Bill No. 97, and that the bill hold its place on tomorrow's second reading calendar.

The motion was carried.

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

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE JOINT RESOLUTION NO. 10,  
SENATE BILL NO. 2069.

MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Saturday, March 24, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SIXTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, March 24, 1973.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative North (Lois) who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

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

## MESSAGE FROM THE GOVERNOR

March 23, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on March 23, 1973, Governor Evans approved the following House Bills entitled:  
HOUSE BILL NO. 137: Requiring and regulating the use of safety glass and similar materials.

HOUSE BILL NO. 287: Providing for payment of substitutes for certain certificated personnel.

HOUSE BILL NO. 364: Providing for conditional licensing of department of social and health services employees who are Canadian doctors.

Sincerely,  
JOHN H. BRIGHT,  
Legislative Counsel.

## MESSAGES FROM THE SENATE

March 23, 1973

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2408,  
SENATE BILL NO. 2452,  
ENGROSSED SENATE BILL NO. 2525,  
SENATE BILL NO. 2571,  
SENATE BILL NO. 2847,

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 108,  
and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 23, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 304,

HOUSE CONCURRENT RESOLUTION NO. 42,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 23, 1973

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2071 and the House amendments thereto, and the President has appointed as members of the conference committee thereon: Senators Marsh, Twigg and Grant.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENT TO HOUSE BILL

March 22, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 291 with the following amendment:

On page 1, section 1, line 13 of the engrossed bill, being the last line of the House committee amendment to page 1, section 1, line 12, after "employed" and before the semicolon insert "without the written permission of the county assessor filed with the county auditor" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Haussler, the House concurred in the Senate amendment to Engrossed House Bill No. 291.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 291 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 291 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker,

Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaines, Kalich, North L., Pullen.

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.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1089, by Representatives Charette, Anderson and Gaines:

AN ACT Relating to land areas along the Pacific Ocean; and amending section 46.08.180, chapter 12, Laws of 1961 as amended by section 7, chapter 120, Laws of 1967 and RCW 43.51.680.

To Committee on Natural Resources.

HOUSE BILL NO. 1090, by Representatives Shinpoch and Kopet:

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.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1091, by Representatives Chatalas, Ceccarelli, Conner, Gaines and Laughlin:

AN ACT Relating to gambling control; creating the Washington state gambling control 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; making an appropriation; and prescribing penalties.

To Committee on State Government.

HOUSE BILL NO. 1092, by Representatives Douthwaite, Kuehnle, Haussler, Blair and Zimmerman:

AN ACT Relating to fire protection; adding a new section to chapter 35.22 RCW; adding a new section to chapter 35.23 RCW; adding a new section to chapter 35.24 RCW; adding a new section to chapter 35.27 RCW; adding a new section to chapter 35A.11 RCW; and prescribing an effective date.

To Committee on State Government.

HOUSE BILL NO. 1093, by Representatives Adams, Parker, Wojahn and Curtis:

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 last amended by section 6, chapter 77, Laws of 1973 and RCW 18.22.060; amending section 3, chapter 97, Laws of 1965 as amended by section 8, chapter 77, Laws of 1973 and RCW 18.22.081; amending section 6, chapter 149, Laws of 1955 as last amended by section 10, chapter 77, Laws of 1973 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 last amended by section 15, chapter ... (SB 2213), Laws of 1973 ex. sess. RCW 18.88.160; amending section 19, chapter 202, Laws of 1949 as last amended by section 18, chapter ... (SB 2213), Laws of 1973 ex. sess. and RCW 18.88.190; amending section 20, chapter 202, Laws of 1949 as last amended by section 19, chapter ... (SB 2213), Laws of 1973 ex. sess. 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.

To Committee on Commerce.

HOUSE CONCURRENT RESOLUTION NO. 44, by Representatives Kilbury, Douthwaite, Valle, Charnley, Van Dyk and Laughlin:

Directing a study of the establishment of a Washington D.C. Legislative Liaison Office.

To Committee on State Government.

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.

To Committee on State Government.

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.

To Committee on Local Government.

ENGROSSED 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.

To Committee on State Government.

SENATE BILL NO. 2571, by Senators Walgren, Whetzel and Clarke:

AN ACT Relating to industrial development corporations; amending section 5, chapter 162, Laws of 1963 and RCW 31.24.050.

To Committee on Financial Institutions.

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.

To Committee on Commerce.

ENGROSSED 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.

To Committee on Higher Education.

## MOTIONS

Mr. Thompson moved that the bills and resolutions printed on today's agenda be considered first reading under the fourth order of business and be referred to the committees so designated with the exception of ENGROSSED SENATE BILL NO. 2525 to be referred to the Committee on Commerce rather than the Committee on State Government.

Mr. Swayze moved to exclude SENATE BILL NO. 2847 from the motion by Mr. Thompson, and that it be held on first reading for further disposition.

Mr. Swayze spoke in favor of the motion, and Mr. Charette spoke against it.

The motion by Mr. Swayze to amend the motion by Mr. Thompson was lost.

The motion by Mr. Thompson was carried.

## REPORTS OF STANDING COMMITTEES

March 20, 1973

HOUSE BILL NO. 306, Prime Sponsor: Representative Thompson, establishing procedures for environmental coordination, reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Luders, Chairman; Smith, Vice Chairman; Bauer, Beck, Charnley, Douthwaite, Goltz, McCormick, Valle, Wilson, Zimmerman.

March 23, 1973

HOUSE BILL NO. 541, Prime Sponsor: Representative Eikenberry, setting standards for determining the amount of bonds for injunctions affecting public construction contracts, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Eikenberry, Gaspard, Hayner, Newhouse, Smith, Swayze.

MINORITY recommendation: That the substitute bill do not pass. Signed by Representative Kelley, Vice Chairman.

March 23, 1973

HOUSE BILL NO. 667, Prime Sponsor: Representative Parker, requiring kindred's consent prior to the performance of autopsies or post mortems, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Newhouse, Smith, Sommers, Swayze.

March 23, 1973

HOUSE BILL NO. 675, Prime Sponsor: Representative Polk, excepting certain take-out purchases from purview of criminal sanctions, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Newhouse, Sommers, Smith, Swayze.

March 23, 1973

HOUSE BILL NO. 761, Prime Sponsor: Representative Smythe, increasing penalties for defrauding hotels, inns, restaurants and boarding houses, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 7, strike all of section 1 and renumber the remaining section "Section 1"

On page 1, line 1 of the title after "amending" strike all material down to and including "amending" on line 3

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Newhouse, Smith, Sommers, Swayze.

#### MOTION

Mr. Thompson moved that all reports of standing committees listed on the fifth order of business be passed to Committee on Rules for second reading.

The motion was carried.

The Speaker assumed the Chair.

#### SECOND READING

HOUSE BILL NO. 97, by Representatives Hurley, Zimmerman, Thompson and Hoggins (by Legislative Council request):

Providing for compensation in inverse condemnation cases for loss of value where there is no trespass.

The House resumed consideration of House Bill No. 97 on second reading. (See Journal for fifteenth day ex. sess., March 23, 1973 for previous House action.)

The Speaker stated the question before the House to be the point of order raised by Representative Knowles as to the scope and object of the following amendment by Representatives Lysen and Valle:

On page 1, section 1, line 7 after "property" insert "for aviation purposes or"

#### RULING BY THE SPEAKER

The Speaker: "In regard to the ruling on the point of order, the Speaker rules that House Bill No. 97 refers to inverse condemnation, pertaining to eminent domain, and it refers to highways. The amendment also refers to inverse condemnation and pertains to eminent domain of airport operations. The subject matter is very broad in that it deals with a change in law relative to eminent domain. The Speaker rules that the subject matter is broad enough to include other types of eminent domain proceedings--highways, state highways, highways to airports, etc. Therefore, in conformity with Reed's Rule No. 160 and House Rule No. 32, the speaker rules that the point of order is not well taken."

The Speaker stated the question before the House to be the amendment by Representatives Lysen and Valle.

Mr. Lysen spoke in favor of the amendment.

The Speaker called on Mr. O'Brien to preside.

Representatives Hurley and Barden spoke against adoption of the amendment, and Representative Perry spoke in favor of it.

Mr. Lysen spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Barden.

Mr. Barden: "Representative Knowles, you drafted the committee amendment which says that 'Any recovery of compensation under section 1 shall be limited to the diminution in the value of property which is located within one-quarter of a mile from such facility.' Do you think that by adding the words 'aviation purposes' in section 1, that section 2 of your committee amendment would also limit the seeking of compensation under section 1 for whatever purpose to one-quarter of a mile from the facility?"

Mr. Knowles: "Since the amendment deals with a specific measurement from the center line of the facility, I would have to feel that it pertains to the highway part only. I can't conceive of a center line of a flight path of airplanes, however, that is just my candid opinion."

#### POINT OF INQUIRY

Mr. Knowles yielded to question by Mrs. Hurley.



Mrs. Hurley: "Since I didn't receive any answer to my question about whether the Martin case didn't already make this decision that there was a detriment to property values because of airport activities, I want to know if this wasn't the case."

Mr. Knowles: "I haven't read the Martin case in full, but it is just again my impression, Representative Hurley, that you are correct, in that the Martin case did, in fact, say these things that are in this bill as pertains to the taking of property near airports."

Mrs. Hurley spoke again in opposition to the amendment, and Mr. Douthwaite spoke in favor of it.

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Kelley.

Mr. Kelley: "Representative Lysen, so we can establish for the record legislative intent relative to this measure, is it your intention by your amendment herein to provide that the compensation section added by the committee--section 2--should apply to airport diminution of values?"

Mr. Lysen: "Yes, I think Representative Douthwaite made the point well, that the diminution figure from the airplane noise would well qualify."

Representatives Van Dyk, Smythe, Anderson and Brown spoke in favor of the amendment and Representative Hansey spoke against it.

Mr. Lysen spoke in favor of the amendment.

#### POINT OF ORDER

Mr. Swayze: "Mr. Lysen has already been recognized three times on this issue, and there are other people standing. I don't think it is proper to recognize him again until it is time to close debate."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Rule 51 of the House Rules states: 'No member shall speak more than twice on the same question without leave of the house: PROVIDED, That the chairman of the committee or the mover of the question may close the debate except as provided in Rule 55.' If you have only spoken once, Mr. Lysen, you may speak once more."

Mr. Lysen: "I was just going to close debate. If there are other comments to be made, I will sit down."

Representatives Knowles and Kraabel spoke against adoption of the amendment, and Representative Lysen spoke in favor of it.

The amendment by Representatives Lysen and Valle to House Bill No. 97 was adopted.

Mr. Berentson moved adoption of the following amendment:

On page 2, line 7 add a new subsection as follows:

"(3) The governmental entity paying compensation as a result of section (1) of this act may recover, from the owner of the property upon the date of the request for said recovery, ten percent of any increase in valuation of the property which results within five years of receipt of the compensation and is established as being primarily a result of the highway, road, or street project for which the compensation was paid."

#### POINT OF ORDER

Mrs. Hurley: "Mr. Speaker, I would like to have a ruling as to the scope and object of this amendment. This amendment by Mr. Berentson relates to an increase in property values. The bill before us is only dealing with the lowering, or the diminution of property values. I have an opinion by Tim Burke of the Legislative Council regarding inverse condemnation, which this bill deals with, which says that you don't know how much damage you are going to have until after the facility is built, and the fact that there would be an increase would be mutually exclusive. How can you have an inverse condemnation for damage and still end up with an increase in property value? Now we did have a bill that went through this House, House Bill No. 102, sponsored by Mr. Bauer, and I think it was during the first couple weeks of the session, that dealt exclusively with when the highway department built a freeway through your property, and then you sustained an increase. The whole bill dealt with what would happen when the person had this windfall. But this bill has nothing to do with increase. It only deals with the lowering of property values."

Mr. Berentson: "Speaking on the point of order, I would just point out that we are dealing with values established in this case by the courts, and I think along with diminishing the value for a given taxpayer we might also on occasion increase that value. We are, in this type of amendment, just trying to point out that if we are going to take from the city, county or the state, perhaps also the reverse should be true if that property owner's value is enhanced."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "In connection with your point of order, Mrs. Hurley, Reed's Rule 161 states in connection with incompatibility or inconsistency: 'An amendment may be inconsistent or incompatible with the words left in the bill, or with other amendments already adopted, but that is for the assembly to decide, and not for the presiding officer.' In this instance, I am going to let the body decide whether Mr. Berentson's amendment is compatible or consistent or germane. You can use your own

judgment. It is an odd amendment, I'll grant you. It appears to be involved with condemnation proceedings and taking ten percent of any increase in value after a period of five years. It is up to the body to determine if it is a good amendment."

Mr. Berentson spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Perry.

Mr. Perry: "Mr. Berentson, haven't the past practices since 1910, with the off-set benefits ratio, dealt with the subject of your amendment already?"

Mr. Berentson: "In my opinion, we have nothing statutorily, right now, that allows any entity of government to recover any amount of money that might accrue to the taxpayer for a construction project or public works project or whatever. I think up until this time, there perhaps hasn't been that need. But if now we are going to look with a very hard look at government entities and take that money from them to settle court cases where they feel damage has been done, then I think we ought to take another step and give the governmental entity some protection also to recover. If we don't do that, the end result is that we are not going to have any funds for construction of any public works."

Mr. Perry spoke against adoption of the amendment by Mr. Berentson.

POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Berentson, we now have, as a part of this bill, an amendment which makes it apply to airports. In your opinion, in the vicinity of Seattle-Tacoma Airport, where there are large numbers of motels, restaurants, service stations and various other types of businesses, would the value of this property be increased or decreased if the Seattle-Tacoma Airport was removed therefrom?"

Mr. Berentson: "I would expect if the airport were to be removed, that there would be a great fall-off in economic activity in the area, and probably less desire to actually live in the area as far as property values are concerned. I would like to point out one more thing--with the Seattle-Tacoma Airport situation, if you go back 15 or 20 years and look at the residential development in that immediate area, you will find that it was quite slim. People have continued to build, continued to expand, knowing full well that Seattle-Tacoma Airport was also expanding. To go back and say, 'Well, finally the noise is so great that we've got to do something for you,' is a noble idea, but I just question how many of those people actually realized the risk when they did buy in that area."

In the area of business expansion, we have had five or six major motels expand within the last five or six years, and evidently they weren't that concerned about noise pollution. So I think we are entering into an area here where we are opening the door. We can't possibly know the tremendous cost at the expense of the taxpayer."

Representative Newhouse spoke in favor of the amendment by Mr. Berentson, and Representatives Sommers, Kelley and Kraabel spoke against it.

#### POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Knowles.

Mr. Knowles: "Mr. Berentson, I would like to, with the language of your amendment, establish a hypothetical situation. If I had a piece of vacant property within this boundary, and I collected compensation from the state for damages to it, and then because there is a highway by there, I decide to put a million dollar motel on it--would you then, under the language of your amendment, feel that the state should have ten percent compensation for the increase in value to my property because the motel was put there because the highway went through there?"

Mr. Berentson: "To go one step beyond, I think it is possible under the language of this bill to have a property owner sue the state for, say, noise pollution, win the suit, and then later perhaps sell that piece of property, if located properly, for a tremendous profit. My thought is that what is good for the taxpayer of the state, maybe we ought to protect the rest of the taxpayers, also, or the state. So should a taxpayer choose not to sue, and still have a piece of property that has been enhanced, I guess I would have to agree with you that then he would, in this case, suffer a ten percent payment for that increase in value. I would agree with the statements here that perhaps that is not enough if this is the way we want to go. You have to remember that I am not in favor of the bill initially, but I think if we are going to go this route, it should work both ways."

Mr. Luders demanded the previous question and the demand was sustained.

The amendment by Mr. Berentson to House Bill No. 97 was adopted on a rising vote.

Mr. Barden moved adoption of the following amendment:

On page 2, section 1, line 6 after "control." insert a new section:

"NEW SECTION. Sec. 2. There is added to chapter 8.28 RCW a new section to read as follows:

(1) In any inverse condemnation action where compensation is sought for the taking or damaging of private property by airport operation, there shall exist the right to be compensated for any diminution in the value of property caused by any one or more of the following:

(a) Noise; or  
(b) Vibrations; or  
(c) Air pollution; or  
(d) Water pollution; or  
(e) Loss of view or scenery; or  
(f) The risk to life or limb presented by the nearness of air traffic.

(2) The following defenses shall not be available in any action involving the 'damaging' of property under this section and the payment of just compensation to the owner:

(a) That the diminution in value does not involve any physical invasion of or trespass upon the property which allegedly has diminished or will diminish in value; or

(b) That any alleged diminution in property value is not substantial; or

(c) That the action allegedly resulting in a diminution in property value has not caused or will not cause substantial interference with the right of the owner to use his property."

Renumber the remaining sections consecutively

Representatives Barden, Kraabel and Lysen spoke in favor of adoption of the amendment.

The amendment by Mr. Barden to House Bill No. 97 was adopted.

Mr. Hansey moved adoption of the following amendment by Representatives Hansey and Smythe:

On page 2, insert a new section as follows:

"NEW SECTION. Sec. 4. There is hereby appropriated from the general fund fifty million dollars to assist the state cities, counties and ports in the satisfying of suits brought as a result of this act."

Mr. Hansey spoke in favor of the amendment.

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

Representative Smythe spoke in favor of the amendment, and Representatives Hurley and Lysen spoke against it.

#### MOTION

Mr. Newhouse moved that the amendment by Representatives Hansey and Smythe to House Bill No. 97 be laid on the table.

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "If this motion carries, it also takes the bill with it. The bill and all amendments go on the table."

The motion by Mr. Newhouse was lost.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Hansey and Smythe to House Bill No. 97, and the amendment was lost by the following vote: Yeas, 2; nays, 91; not voting, 5.

Voting yea: Representatives Hansey, Smythe.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kelley, Maxie, North L., Pardini, Warnke.

## STATEMENT FOR THE JOURNAL

I proposed the \$50 million appropriation to this bill to point out the severe fiscal impact of passage of such a measure to provide compensation for virtually anyone living near any airport in this state. This bill would cost cities, counties, ports and the state hundreds of millions of dollars each year since the bill takes away nearly every defense against law suits brought in connection with the operations of airports and highways in this state. The bill as written and amended is totally irresponsible and if the legislature is going to pass these expensive laws for the taxpayers in local government to pay then the state had better take the responsibility to pay some of the cost.

DONALD G. HANSEY, 40th District.  
RICHARD L. SMYTHE, 49th District.

On motion of Mr. Knowles, the committee amendment to the title was adopted.

Mr. Lysen moved adoption of the following amendment to the title:

On page 1, line 1 of the title after "purposes" and before the semicolon insert "and aviation purposes"

On motion of Mr. Barden the following amendment to the title amendment by Mr. Lysen was adopted:

On line 2 of the amendment after "and aviation" insert "and airport"

The amendment by Mr. Lysen to the title as amended by Mr. Barden was adopted.

House Bill No. 97 was ordered engrossed and passed

to Committee on Rules for third reading.

HOUSE BILL NO. 53, by Representatives Flanagan, Haussler, Newhouse, Van Dyk, Benitz, North (Lois), Amen, Curtis, Garrett, Kilbury, Matthews, Nelson, Pardini, Patterson, Pullen, Schumaker, Tilly, Wilson and Zimmerman (by Permanent Property Tax Committee request):

Providing for taxation of open space, agricultural, and timber lands.

#### MOTION

On motion of Mr. Randall, Substitute House Bill No. 53 was substituted for House Bill No. 53, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 53 was read the second time.

Mr. Charette moved adoption of the following amendment:

On page 9 of the substitute bill, after section 8, add a new section as follows:

"NEW SECTION. Sec. 9. This 1973 amendatory act shall not take effect until an amendment to Article 7 of the state Constitution, including as a minimum, but not limited to, (1) authorization for the legislature to impose a tax upon individual and corporate net income, (2) prohibition of the imposition of property tax by a school district except for capital purposes, and (3) authorization for the legislature to grant credits and make direct payments to provide relief from other state or local taxes, is validly submitted and is approved and ratified by the voters at a general election. Upon the fulfillment of the preceding conditions, this 1973 amendatory act shall take effect on the effective date of such Constitutional amendment.

In the event that this 1973 amendatory act does not take effect as provided in this section by January 1, 1975, all new or amendatory provisions of this 1973 amendatory act shall be null and void."

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

Mr. Pullen moved adoption of the following amendments to the amendment by Mr. Charette:

On line 13 of the amendment after "voters at" strike "a" and insert "the November 6, 1973"

On line 18 strike "all new or amendatory provisions of this 1973 amendatory act shall be null and void" and insert "the act shall take effect on January 2, 1975, notwithstanding the failure of fulfilling the conditions of section 9"

Representative Pullen spoke in favor of adoption of

the amendments to the amendment, and Representatives Charette and Newhouse spoke against the amendments.

The amendments by Mr. Pullen to the amendment by Mr. Charette were not adopted.

Mr. Thompson demanded an electric roll call on the amendment by Mr. Charette, and the demand was sustained.

Mr. Flanagan spoke against adoption of the amendment by Mr. Charette.

#### POINT OF ORDER

Mr. Swayze: "Mr. Speaker, this amendment to Substitute House Bill No. 53 would impose section 9, which refers to, among other things, authorization for the legislature to impose a tax on individual and corporate net income, prohibition of the imposition of property tax by a school district except for capital purposes, authorization for the legislature to grant credits and make direct payments to provide relief from other state or local taxes. It requires by the effect of this amendment that such legislation be adopted before Substitute House Bill No. 53 can be effective. It therefore expands the scope and object of the measure, and I would like a ruling from the chair on that point."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "In answer to your point of order, Mr. Swayze, it appears that precedent has been established in the past on the implementation of certain provisions on the effective date of acts pertaining to taxation. This more or less sets forth a set of conditions relative to Substitute House Bill No. 53 and its effective date. So in view of the procedure that has been established, it would appear that this amendment to Substitute House Bill No. 53 would be in order."

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Charette, I notice in the wording of your amendment, on lines 9 and 10, '...the imposition of property tax by a school district...' I notice you are not speaking strictly of special levies. Are you also trying to preclude the normal collection of the regular seven mills, or whatever, by the school district in the local area in your proposed tax reform package which must be passed before a reasonable open space bill may be adopted?"

Mr. Charette: "No."



## POINT OF ORDER

Mr. Julin: "Mr. Speaker, the amendment by Representative Charette provides that the legislature may grant credits and make direct payments to individuals. Article 8, section 7, of our State Constitution prohibits the extension of credit to private persons. Article 2, section 19, of our Constitution provides that bills shall be limited to one subject. I would ask the Speaker to rule on whether or not this amendment is in order in light of those two constitutional provisions."

Mr. Charette: "Speaking to the point of order, if I may, Mr. Speaker, this amendment is conditioned on a constitutional amendment passing the people. If the proper constitutional amendment is passed by the people, that would then be a part of the Constitution and it would not be a violation."

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "In connection with your point of order, Mr. Julin, Reed's Rule No. 161 states in part in referring to the presiding officer '...So, also, the question of constitutionality is not for him to decide. Incompatibility, inconsistency, and unconstitutionality are matters of argument...' (to be decided by the body). Your point is not well taken."

Mr. Julin: "Notwithstanding the provisions of Reed's, our state Constitution provides that no bill shall embrace more than one subject. I believe that a ruling with reference to that part of my point of order is still required."

The Speaker (Mr. O'Brien presiding): "The Speaker has previously ruled on that point of order in connection with the point that Mr. Swayze raised. Also this entire matter of constitutionality of this amendment is not for me to decide; it is for the body to determine."

Representatives Haussler, Berentson, Swayze and Pullen spoke against adoption of the amendment by Mr. Charette to Substitute House Bill No. 53.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Charette to Substitute House Bill No. 53, and the amendment was lost by the following vote: Yeas, 43; nays, 53; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Jastad, Johnson, Kelley, King, Knowles, Laughlin, Luders, Lysen, Maxie, Moon, O'Brien, Perry, Savage, Shinpoch, Sommers, Thompson, Valle, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Anderson,

Barden, Benitz, Berentson, Bluechel, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Juelling, Julin, Kalich, Kilbury, Kopet, Kraabel, Kuehnle, Leckenby, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North F., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Smith, Smythe, Swayze, Tilly, Van Dyk, Wilson, Zimmerman.

Not voting: Representatives North L., Warnke.

Substitute House Bill No. 53 was passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Charette, the House recessed until 1:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk call the roll and all members were present except Representatives Kelley, North (Lois) and Warnke who were excused.

#### SECOND READING

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.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal for eighth day, ex. sess., March 16, 1973.)

The bill was read the second time.

On motion of Mr. Williams, the committee amendments to the body of the bill were adopted.

On motion of Mr. Gallagher, the following amendment by Representatives Gallagher and Johnson was adopted:

On page 7, section 7, line 27 after "spent" insert "discharging his official duties"

On motion of Mr. Williams, the committee amendment to the title was adopted.

House Bill No. 376 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 376 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 376, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Blair, Kelley, North L., Warnke.

Engrossed House Bill No. 376, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 392, by Representatives Wojahn, Shinpoch, Knowles, Kelley, Smith, Juelling, Adams, Douthwaite, Erickson, Johnson, Kraabel, North (Lois) and Swayze (by Judicial Council request):

Providing new procedures for marriage and the dissolution of marriage.

#### MOTION

On motion of Mr. Knowles, Substitute House Bill No. 392 was substituted for House Bill No. 392, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 392 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 435, by Representatives Bausch, Hendricks, Thompson, Adams, Bender, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kilbury, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North (Frances), Paris, Parker, Savage, Smith, Valle, Van Dyk, Warnke, Wajahn and Williams (by Public Employees' Retirement Board request):

Making certain revisions in the public employees' retirement system.

MOTION

On motion of Mr. Charette, the House deferred consideration of House Bill No. 435, and the bill was ordered placed on Tuesday's second reading calendar.

HOUSE BILL NO. 519, by Representatives Lysen, Sommers and North (Lois):

Increasing port commissioners in class AA county district from five to nine.

MOTION

On motion of Mr. Haussler, Substitute House Bill No. 519 was substituted for House Bill No. 519, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 519 was read the second time.

Mr. Barden moved adoption of the following amendment:

On page 2, section 3, line 18 after "voter." insert the following:

"In the event that more than two candidates are filed for any port commissioner position after the last day for withdrawal of candidacy, the county auditor shall conduct a port district primary at the time provided by general law for such primaries. At such primary, candidates for each port commissioner position shall be voted upon only by the voters of the commissioner district from which they are seeking election and of which they are qualified voters. At the ensuing general election, candidates for each port commissioner position shall be voted upon by all the qualified voters of the port district at large."

Mr. Barden spoke in favor of adoption of the amendment and Mr. Lysen spoke against it.

The amendment by Mr. Barden was not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 519 was placed on final passage.

Representatives Lysen and Van Dyk spoke in favor of passage of the bill, and Representative Leckenby spoke against it.

#### POINT OF INQUIRY

Mr. Van Dyk yielded to question by Mr. Tilly.

Mr. Tilly: "I think you made some very good points, Mr. Van Dyk. I was just wondering if your remarks would also apply, possibly, to public utility district boards where presently most of them have three members."

Mr. Van Dyk: "I am not familiar with the problem in your district. I am more familiar with the port commission area, and I think that should be more adequately represented. I am afraid I can't answer your question."

Representative Ceccarelli spoke against passage of the bill, and Representatives Kilbury, Martinis and Curtis spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 519, and the bill passed the House by the following vote: Yeas, 74; nays, 20; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bauer, Bender, Blair, Brown, Charette, Charnley, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Barden, Bausch, Beck, Benitz, Berentson, Bluechel, Ceccarelli, Chatalas, Garrett, Hansey, Juelling, Kopet, Leckenby, Matthews, Morrison, Newhouse, O'Brien, Rabel, Swayze.

Not voting: Representatives Haussler, Kelley, North L., Warnke.

Substitute House Bill No. 519, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 617, by Representatives Charnley and King:

Providing for a public list of absentee ballot applications.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 617 was placed on final passage.

Mr. Charnley spoke in favor of the bill.

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Brown.

Mr. Brown: "Mr. Charnley, in the next to the last paragraph of this bill, it says that these lists shall be organized by legislative district, if appropriate. My question would be: Does this qualifier 'if appropriate' mean that in an election involving legislative districts, the list shall be so organized?"

Mr. Charnley: "My answer is yes."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 617, and the bill passed the House by the following vote: Yeas, 84; nays, 10; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Lecknby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Flanagan, Hoggins, Kuehnle, Morrison, Newhouse, Pardini, Schumaker, Zimmerman.

Not voting: Representatives Berentson, Kelley, North L., Warnke.

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.

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.

## MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 649, and the bill was ordered placed on Monday's second reading calendar.

HOUSE BILL NO. 1035, by Representatives Charette and Rabel:

Permitting eighteen year old musicians to be employed in places where liquor is served.

The bill was read the second time.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, section 1, line 7 after "musicians," strike "eighteen" and insert "nineteen"

Mr. Kuehnle spoke in favor of adoption of the amendment, and Representatives Rabel, Charette and Kalich spoke against it.

The amendment by Mr. Kuehnle was not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1035 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1035, and the bill passed the House by the following vote: Yeas, 87; nays, 8; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Beck, Hansen, Hoggins, Kuehnle, Newhouse, Paris, Zimmerman.

Not voting: Representatives Kelley, North L., Warnke.

House Bill No. 1035, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE 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 and passed to Committee on Rules for third reading.

HOUSE BILL NO. 509, by Representatives King, Bagnariol, Warnke, Kilbury, Smith, Eng, Ceccarelli and Chatalas:

Providing tax reform.

#### MOTION

On motion of Mr. Thompson, House Bill No. 509 was rereferred to the Committee on Ways and Means - Revenue.

HOUSE BILL NO. 386, by Representatives Parker, Clemente, Ceccarelli, Gilleland, Bender, Beck, Kilbury, Adams, Nelson, Fortson, Berentson, Warnke, Erickson, Laughlin, Cunningham, Gaines, May, Bausch, Savage, Anderson, Gallagher, Barden, Goltz, Knowles, Benitz, Matthews, Charette, McCormick, Hansen, Ehlers, Jastad, Kalich, Curtis, Polk, Swayze, Julin, Conner, Hendricks, Juelling, Pardini, Tilly, Smythe, Schumaker, Kuehne, Paris, Hansey, Morrison, Amen, Pullen and Freeman:

Permitting certain tax credits on personal property taxes due on business inventories and phasing out the business inventory tax.

#### MOTION

Mr. Thompson moved that House Bill No. 386 be rereferred to the Committee on Ways and Means - Revenue.

Mr. Swayze spoke against the motion, and Mr. Bagnariol spoke in favor of it.

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

Mr. Pardini spoke against the motion by Mr. Thompson.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Thompson to rerefer House Bill No. 386 to the Committee on



Ways and Means - Revenue, and the motion was carried by the following vote: Yeas, 53; nays, 42; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representatives Kelley, North L., Warnke.

### THIRD 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.

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

Mr. Lysen spoke in favor of passage of the bill and Mr. Hendricks spoke against it.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 351, and the bill passed the House by the following vote: Yeas, 63; nays, 31; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Bender, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hoggins, Hurley, Johnson, Kalich, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Pardini, Paris, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Beck, Benitz, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hayner, Hendricks, Jastad, Juelling, Julin, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, Patterson, Polk, Pullen,

Schumaker, Smythe, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Kelley, North L., Tilly, Warnke.

Substitute House Bill No. 351, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 368, by Representatives Douthwaite, Eng and Blair:

Authorizing cities and towns to participate in and implement federally-assisted grant-in-aid programs.

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

Representatives Douthwaite and Perry spoke in favor of the bill and Representatives Newhouse, Bluechel and Polk spoke against it.

#### MOTION

Mr. Pardini moved that Engrossed House Bill No. 368 be indefinitely postponed.

Representatives Pardini, Julin, Newhouse and Brown spoke in favor of the motion, and Representatives Perry, Smythe and Douthwaite spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Pardini to indefinitely postpone Engrossed House Bill No. 368, and the motion was lost by the following vote: Yeas, 41; nays, 53; not voting, 4.

Voting yea: Representatives Amen, Barden, Bauer, Bender, Benitz, Berentson, Bluechel, Brown, Clemente, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Newhouse, North F., Pardini, Paris, Polk, Pullen, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bausch, Beck, Blair, Ceccarelli, Charette, Charney, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, O'Brien, Parker, Patterson, Perry, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Kelley, North L., Rabel, Warnke.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 368.

Representatives Swayze, Hoggins and Kraabel spoke against passage of the bill, and Representative Douthwaite spoke again in favor of it.

POINT OF INQUIRY

Mr. Hoggins yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Hoggins, if we abrogate this power and say that they have the full effect and can override any state law, would it be possible to set up a federally-funded school system?"

Mr. Hoggins: "Representative Pardini, as I read this, and as I understand it, once these corporations are set up, this is exactly what would be possible."

POINT OF INQUIRY

Mr. Barden: "Would Representative Douthwaite yield to question?"

Mr. Douthwaite refused to yield to question.

Mr. Barden spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 368, and the bill failed to pass the House by the following vote: Yeas, 40; nays, 54; not voting, 4.

Voting yea: Representatives Anderson, Bausch, Beck, Blair, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Ellis, Eng, Gaines, Gaspard, Goltz, Haussler, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Maxie, May, McCormick, Moon, Nelson, O'Brien, Patterson, Perry, Randall, Savage, Smythe, Sommers, Valle, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Bagnariol, Barden, Bauer, Bender, Benitz, Berentson, Bluechel, Brown, Clemente, Cunningham, Curtis, Ehlers, Eikenberry, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Martinis, Matthews, Morrison, Newhouse, North F., Pardini, Paris, Parker, Polk, Pullen, Schumaker, Shinoch, Smith, Swayze, Thompson, Tilly, Van Dyk, Wilson, Zimmerman.

Not voting: Representatives Kelley, North L., Rabel, Warnke.

Engrossed House Bill No. 368, having failed to receive the constitutional majority, was declared lost.

ENGROSSED SENATE BILL NO. 2278, (as amended by the House) 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.

Mr. Beck spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2278 as amended by the House, and the bill passed the House by the following vote: Yeas, 72; nays, 21; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Blair, Cunningham, Curtis, Eng, Flanagan, Freeman, Hayner, Jueling, Julin, Kuehnle, Newhouse, Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson, Zimmerman.

Not voting: Representatives Gilleland, Kelley, North L., Rabel, Warnke.

Engrossed Senate Bill No. 2278 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House reverted to the third order of business.

#### 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 were unable to come to an agreement and respectfully request the powers of Free Conference, 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 and Twigg; Representatives Bauer, Smythe and Knowles.

#### MOTIONS

Mr. Bauer moved that the report of the Conference Committee on Engrossed Senate Bill No. 2071 be adopted and the committee be granted the powers of Free Conference.

Mr. Smythe spoke in favor of the motion.

The motion was carried.

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

On motion of Mr. Charette, the House adjourned until 11:00 a.m., Monday, March 26, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 26, 1973.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Representative William Paris.

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

## MESSAGES FROM THE SENATE

March 24, 1973

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2040,  
SENATE BILL NO. 2043,  
SENATE BILL NO. 2075,  
ENGROSSED SENATE BILL NO. 2098,  
SENATE BILL NO. 2110,  
SENATE BILL NO. 2143,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2227,  
ENGROSSED SENATE BILL NO. 2621,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 24, 1973

Mr. Speaker:

The President has signed:

HOUSE JOINT RESOLUTION NO. 10,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker has signed:

HOUSE BILL NO. 291.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1094, by Representatives Charnley and Bluechel:

AN ACT Relating to state government; and adding a new section to chapter 43.06 RCW.

To Committee on State Government.

HOUSE BILL NO. 1095, by Representatives Smith and Laughlin:

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.

To Committee on Ways and Means - Revenue.

HOUSE JOINT MEMORIAL NO. 24, by Representatives Luders, North (Lois), Goltz, Sommers, Bluechel, Valle, Douthwaite, Charnley and Smith:

Memorializing the President and Congress in favor of Senate Bill No. 836.

To Committee on Natural Resources.

HOUSE JOINT RESOLUTION NO. 40, by Representatives Thompson, Polk and Van Dyk:

Changing the requirements for passage of bond propositions.

To Committee on Constitution and Elections.

HOUSE CONCURRENT RESOLUTION NO. 45, by Representatives Lysen, Perry, Valle and Laughlin:

Directing a study of land acquisition by airports, if such land is adversely affected by airport noise.

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.

To Committee on Ways and Means - Revenue.

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.

To Committee on Judiciary.

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.

To Committee on Transportation and Utilities.

ENGROSSED 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.

To Committee on Local Government.

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.

To Committee on Social and Health Services.

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.

To Committee on Constitution and Elections.



ENGROSSED SUBSTITUTE SENATE BILL NO. 2227, by Committee on Judiciary (Originally sponsored by Senators Woodall, Matson, Henry and Washington):

AN ACT Relating to courts; 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; 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; and 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.

To Committee on Judiciary.

ENGROSSED 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; adding a new section to chapter 29, Laws of 1971 ex. sess. and to chapter 46.10 RCW.

To Committee on Transportation and Utilities.

#### MOTION

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

The motion was carried.

#### REPORTS OF STANDING COMMITTEES

March 23, 1973

HOUSE BILL NO. 1060, Prime Sponsor: Representative Bagnariol, limiting aggregate property tax levies to one percent of true and fair value, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Erickson, Flanagan, Goltz, Hurley, Kilbury, King, Kuehnle, Moon, Sawyer, Williams.

To Committee on Rules for second reading.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

On motion of Mr. Thompson the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

SECOND READING

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.

Committee on Ecology recommendation: Do pass as amended. (For amendments see Journal for fortieth day, February 16, 1973.)

The bill was read the second time.

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

On motion of Mr. Smith, the following amendments by Representatives Smith and Luders were adopted:

On page 1, section 1, line 8 after "is" and before "caused" insert "primarily"

On page 1, section 1, line 8 after "by" insert "acts or omissions of persons or agencies other than the contractor and"

On page 1, section 1, line 8 after "permanent" insert "restraining"

On page 1, section 1, line 9 after "jurisdiction" insert "is issued"

House Bill No. 649 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 349, by Representatives Gallagher, Parker, Juelsing, Erickson, Kelley and Gaspard:

Regulating commercially licensed troll vessels.

The bill was read the second time.

On motion of Mr. Martinis, the following amendment by Representatives Martinis and Gallagher was adopted:

On page 1, section 2, line 14 after "commercial" and before "fishing" insert "troll salmon"

House Bill No. 349 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 349 was placed on final passage.

Representatives Martinis and Gallagher spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 349, and the bill passed the House by the following vote: Yeas, 78; nays, 18; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Brown, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelsing, Julin, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barden, Berentson, Blair, Bluechel, Ceccarelli, Charette, Cunningham, Curtis, Eng, Freeman, Gilleland, Kraabel, Kuehnle, Matthews, North L., Schumaker, Wilson, Zimmerman.

Not voting: Representatives Kopet, Lysen.

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

#### EXPLANATION OF VOTE

I voted "no" on Engrossed House Bill No. 349 in case the bill were to go to Conference. I would like to be on the committee.

HAL ZIMMERMAN, 17th District.

Due to malfunction of the voting machine, my vote was recorded wrong on Engrossed House Bill No. 349. Please record my vote as "yes."

KING LYSEN, 31st District.

HOUSE BILL NO. 356, by Representatives Conner, Bauer, Zimmerman, Schumaker and Beck:

Changing certain legal holidays.

#### MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 356, and the bill was ordered placed on tomorrow's second reading calendar.

HOUSE BILL NO. 515, by Representatives Martinis, Johnson and Juelling:

Pertaining to public work contracts in first class cities.

Committee on Local Government recommendation: Do pass as amended. (For amendments see Journal for sixth day, ex. sess. March 14, 1973.)

The bill was read the second time.

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

Ms. Sommers moved adoption of the following amendment by Representatives Sommers, Charette and Blair:

On page 1, section 1, line 8 after "of" strike "five thousand" and insert "ten thousand"

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

The Speaker assumed the Chair.

#### POINT OF INQUIRY

Mr. Haussler yielded to question by Mrs. Hurley.

Mrs. Hurley: "This may be on the amendment, Mr. Haussler, but mainly it is so that if I get the answer that I think I might get, we might hold this up for just a moment. Relative to Expo '74, and the construction of the buildings on Expo, I understand that there is an emergent situation where some of the buildings will not be put out to bids--because it is going to take too long and it holds up the processing. Now I don't know if that relates to just the state or just the city, but if there were some relation there, how do you think this might affect Expo?"

Mr. Haussler: "Yes, Representative Hurley, I can only give my own opinion on this. It is something I haven't looked into, but I think, in my opinion, they would be held to \$5,000--or \$10,000 if this amendment passes."

## POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mrs. Hurley.

Mrs. Hurley: "Could you put some light on that question, Mr. Kuehnle?"

Mr. Kuehnle: "Well, Representative Hurley, I think that Representative Haussler's answer is correct--that if we pass this bill with either \$5,000 or a \$10,000 limit, that, yes, certainly the city would be confined to those dollar amounts. But to ease your mind as far as Expo is concerned, there is no intention of doing any of that work without going to bid on it. This is the way that the system operates, and I have received numerous communications in the last few days from contractors in the Spokane area who say that they don't understand why there is any concern about it, because it is the intent that all of Expo work will go out to bid, and so it doesn't enter into this bill at all, as I see it."

Representatives Blair and Haussler spoke in favor of adoption of the amendment by Representatives Sommers, Charette and Blair to House Bill No. 515.

The amendment was adopted on a rising vote.

The Clerk read the following amendment by Representative Martinis:

On page 1, section 2, line 17 after "sequence" and before the period insert ": PROVIDED, That the cost of metering equipment furnished by any first class city in the course of a water service installation shall not be included as part of the aggregate cost as provided herein."

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

House Bill No. 515 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 515 was placed on final passage.

Mr. Douthwaite spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 515, and the bill passed the House by the following vote: Yeas, 91; nays, 7; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel,

Kuehnle, Laughlin, Leckenby, Luders, Martinis, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bluechel, Hurley, Lysen, Matthews, May, Tilly, Williams.

Engrossed House Bill No. 515, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 648, by Representatives Thompson, Kelley and May:

Implementing the law of industrial insurance.

The bill was read the second time.

Mr. Morrison moved adoption of the following amendments:

On page 1, line 10 strike "seven" and insert "five"

On page 1, strike all of lines 15 and 16 and insert the following:

"That the workmen's compensation advisory committee shall conduct a study of the advisability and necessity of expanding the five-year statute of limitation on aggravation, diminution, or termination of disability as provided in RCW 51.32.160. Such investigation shall include consideration of related recommendations and guidelines set forth by the National Commission on State Workmen's Compensation Laws, the International Association of Industrial Accident Boards and Commissions, and other pertinent nationally recognized authorities on workmen's compensation. The advisory committee shall report its findings and recommendations on this study to the Department of Labor and Industries, and the department shall transmit such findings and recommendations to the next regular session of the legislature."

Representative Morrison spoke in favor of adoption of the amendments, and Representatives Savage and May spoke against them.

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

Mr. Matthews spoke in favor of the amendments by Mr. Morrison.

Mr. Morrison spoke again in favor of the amendments, and Mr. Thompson spoke against them.

## ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Morrison to House Bill No. 648, and the amendments were lost by the following vote: Yeas, 34; nays, 63; not voting, 1.

Voting yea: Representatives Amen, Bausch, Benitz, Berentson, Blair, Bluechel, Curtis, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hoggins, Jueling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hendricks, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Hurley.

House Bill No. 648 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 662, by Representatives Parker, Fortson and Rabel:

Relating to liability of persons withdrawing blood.

Committee on Judiciary recommendation: Do pass as amended. (For amendments see Journal for ninth day ex. sess., March 17, 1973.)

The bill was read the second time.

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

House Bill No. 662 was ordered engrossed and passed to Committee on Rules for third reading.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 720, by Representatives Shinpoch, Kopet, Bagnariol, Chatalas, Bluechel and Kraabel:

Centralizing and unifying state data processing facilities.

Committee on State Government recommendation: Do pass as amended. (For amendments, see Journal for eighth day ex. sess., March 16, 1973.)

The bill was read the second time.

Mr. Williams moved adoption of the committee amendment to page 3, line 25.

On motion of Mr. Charette, the following amendment by Representatives Swayze and Charette to the committee amendment was adopted:

On line 2 of the House committee amendment to page 3, section 5, line 25 strike "ten" and insert "eleven"

The committee amendment as amended was adopted.

Mr. Williams moved adoption of the committee amendment to page 3, line 27.

On motion of Mr. Swayze, the following amendment by Representatives Swayze and Charette to the committee amendment was adopted:

On line 4 of the House committee amendment to page 3, section 5, line 27 after "instruction;" insert "the code reviser;"

The committee amendment as amended was adopted.

House Bill No. 720 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 720 was placed on final passage.

Representatives Shinpoch and Kopet spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 720, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Juelling.

Engrossed House Bill No. 720, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



HOUSE BILL NO. 722, by Representatives Eikenberry, Chatalas, Nelson, Eng, Paris and Curtis (by Executive request):

Regulating the solicitation of funds for charity.

#### MOTION

On motion of Mrs. Wojahn, Substitute House Bill No. 722 was substituted for House Bill No. 722, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 722 was read the second time.

Mr. Kuehnle moved adoption of the following amendment:

On page 4, section 3, line 22 add a new subsection as follows:

"(4) Any nonprofit charitable organization which does not solicit and collect funds as a result of the sale or other distribution of tickets or other indications of contributions, in excess of \$5,000 in any twelve-month period in the operation of a raffle: PROVIDED, That in order to qualify for the exclusion created by this subsection no more than one-half of all moneys collected shall be expended for prizes actually awarded to participants: PROVIDED FURTHER, That all such fund raising functions are carried on by persons who are unpaid for their services."

Mr. Kuehnle spoke in favor of the amendment, and Mr. Eikenberry spoke against it.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Swayze.

Mr. Swayze: "You cited one type of fund raising which you fear may be included under the terms of this bill that you want to exclude. I am a little concerned about the many other types of charitable fund raising such as a basketball game, a style show, a spaghetti dinner, that sort of thing, which are put on by a charitable organization to raise funds. They don't know how much, if any, they will raise through that kind of a function until it is over. Are these also matters of concern within this particular act?"

Mr. Kuehnle: "Yes, they certainly are, Representative Swayze. And this is why I felt we needed to deal with this subject separately, by again going back to the definition of a contribution. If, for example, you had a spaghetti feed, we then would be talking about gross proceeds, not to exceed \$2,000, without having to go to state registration. It would have nothing to do with the net proceeds. It talks about gross proceeds, and I think that there should be an exception. I guess the issue that came to my mind, first of all, was the typical raffle

because it is so commonly conducted by boys clubs, P.T.A.'s, etc. How many of us who belong to service clubs like to go out and say 'Hey Joe, please give me a donation,' but we don't mind saying 'Hey Joe, give me a buck for a ticket on a side of beef,' or whatever it might be. And so I felt we needed to clarify that language. I don't think that the constitutional problem to which Representative Eikenberry alluded is a factor because if we want to get technical about it, by definition we are already in that category anyway, and I would presume that when we get through here this bill is going to pass by a 60 percent vote, so I don't think that presents a problem."

Mrs. Wojahn spoke against adoption of the amendment by Mr. Kuehnle.

The amendment was lost on a rising vote.

Mr. Pardini moved adoption of the following amendment:

On page 4, section 3, lines 19 and 20 strike "two thousand in any six month period" and insert "five thousand in any twelve month period"

Mr. Pardini spoke in favor of the amendment, and Mr. Eikenberry spoke against it.

Mr. Pardini closed debate, speaking again in favor of the amendment.

The amendment by Mr. Pardini was lost on a rising vote.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 722 was placed on final passage.

Mr. Eikenberry spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 722, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams,

Wilson, Wojahn, Zimmerman, and Mr. Speaker.  
Voting nay: Representative Pardini.

Substitute House Bill No. 722, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 766, by Representatives Kopet, Kuehnle, Hurley and Hendricks:

Providing for the regulation of legend drugs.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments see Journal for seventh day ex. sess., March 15, 1973.)

The bill was read the second time.

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

The Clerk read the following amendment by Representatives Kopet and Jastad:

On page 3, section 3, line 30 strike all of section 4 and renumber the remaining sections consecutively

The Speaker resumed the Chair.

#### POINT OF ORDER

Mr. Barden: "Mr. Speaker, Representatives Eikenberry, Clemente, Pardini and myself have a floor amendment to page 1, section 1, line 14 that I believe should be considered before that floor amendment."

The Speaker: "Mr. Barden, you raised the point of order in regard to which amendment should be considered first. The Speaker decided to take the floor amendment by Representatives Kopet and Jastad first because it was a single amendment, relating to a single subject matter. Your amendment would have been considered first, but then your second amendment, which relates to a similar subject matter and which, I think should be handled at the same time, came afterwards, so we thought we would get this out of the way first. This is the reason we proceeded in this manner."

On motion of Mr. Kopet, the amendment by Representatives Kopet and Jastad was adopted.

Mr. Barden moved adoption of the following amendments by Representatives Barden, Eikenberry, Clemente and Pardini:

On page 1, section 1, line 14 insert a new subsection as follows:

"(2) 'Controlled substance' means any controlled substance or counterfeit substance defined or referred to

in RCW 69.50.401, chapter 308, Laws of 1971 ex. sess."

Renumber the remaining subsections consecutively

On page 3, section 4, line 31 insert a new section as follows:

"NEW SECTION. Sec. 4. There is added to chapter 308, Laws of 1971 ex. sess. and to chapter 69.50 RCW a new section to be designated as 69.50.410 to read as follows:

69.50.410. PROHIBITED ACTS D--PENALTIES. (1) Except as authorized by this chapter it shall be unlawful for any person to sell for profit any controlled substance.

For the purposes of this section only, the following words and phrases shall have the following meanings:

(a) 'To sell' means the passing of title and possession of a controlled substance from the seller to the buyer for a price whether or not the price is paid immediately or at a future date.

(b) 'For profit' means the obtaining of anything of value in exchange for a controlled substance.

(c) 'Price' means anything of value.

(d) 'Controlled substance' means all controlled substances and counterfeit substances except marihuana.

(2) Any person convicted of a violation of subsection (1) of this section shall receive a mandatory sentence of five years in the state penitentiary and a fine of not more than two hundred fifty thousand dollars for the first offense. Any person convicted of a second or subsequent violation of subsection (1) of this section or any person who shall have been previously convicted of a violation of the laws of the United States, any other state, or any territory, possession, or district for the same or similar offense as defined in subsection (1) of this section shall receive a mandatory sentence of not less than twenty years in the state penitentiary and a fine of not more than five hundred thousand dollars. No judge of any court shall suspend or defer any sentence imposed pursuant to this subsection, nor may any state board or official reduce the term of confinement.

This section shall not apply to offenses defined and punishable under the provisions of RCW 69.50.401 as now or hereafter amended.

Renumber the remaining sections consecutively.

Mr. Barden spoke in favor of the amendments.

#### POINT OF ORDER

Mr. Perry: "Mr. Speaker, I would like to raise the question of scope and object of Mr. Barden's amendments. He is an expert on the scope and object of bills. He was very good on the 40-foot bus."

#### POINT OF ORDER

Mr. Barden: "Notwithstanding the compliments of the gentleman who just raised the point of order, I believe Reed's Rules say that a point of order may only be raised prior to the ensuing of debate. If the Speaker and members of the House would examine the remarks I made prior to the point of order being raised, I believe that debate has already begun, and perhaps the point of order is out of

order.

"Further, speaking to the point of order, the description of the bill deals with the sale, or the obtaining of dangerous drugs or poisons, and it provides for the punishment of those people who violate the chapter. The amendment specifically deals with the wrongful sale of drugs and dangerous drugs and poisons and provides a penalty. It deals with the same chapter of the Revised Code of Washington as does the bill. It deals with the same subject--the wrongful sale of drugs and the penalties to be received. It is beyond my comprehension that this bill and the amendment could not be compatible."

#### RULING BY THE SPEAKER

The Speaker: "Representative Barden, you raised the point of order as to when the objection must be made. It is my recollection that it must be a timely motion. I think that the debate had not begun in the true sense of debate. We have always allowed the point of order to be raised anytime during the initial speech; therefore your point of order is not well taken in that matter.

"In regard to whether or not the amendment is beyond the scope and object, the point of order is well taken. The subject matter of House Bill No. 766 is chapter 69.40 RCW, poisons and dangerous drugs. You are attempting to amend the next chapter--69.50 RCW, which is the controlled substances act. In other words, we are talking about two different types of drugs. One is the legend drugs, or nonnarcotic drugs. Your amendment pertains to narcotic drugs. Therefore, it is beyond the scope and object, and the point of order is well taken. Your amendment is out of order."

#### MOTION

Mr. Barden moved that the Judiciary Committee be relieved of HOUSE BILL NO. 459, and that it be placed on the second reading calendar, directly following House Bill No. 766.

Mr. Barden spoke in favor of the motion.

#### POINT OF ORDER

Mr. Charette: "Mr. Speaker, the motion made by Representative Barden is to relieve a committee of a bill, and I believe he is not speaking to the motion."

The Speaker: "Mr. Barden, I was going to restate your motion for you, but you are moving to procedurally relieve a committee of a bill. Please confine your remarks to the procedural aspects of this."

Mr. Barden continued his remarks.

The Speaker: "Mr. Barden, I wish again to direct your attention to the fact that you are required to confine your remarks to the procedural matter of bringing a bill before the body--not to the merits of the bill."

## PERSONAL PRIVILEGE

Mr. Knowles: "I resent the remarks as to the intent of the Judiciary Committee. I would point out that we have had two hearings on this. We had it on executive session for last Friday. We were limited in our time--we were cut off a half hour and we didn't quite get to it. It is scheduled for hearing..."

The Speaker: "I think, Representative Knowles, you will have to raise your point of personal privilege after the remarks by Representative Barden. You may do so at that time."

Mr. Barden concluded his remarks in favor of the motion.

## PERSONAL PRIVILEGE

Mr. Knowles: "My remarks were more directed toward the tone of the inability of the Judiciary Committee to amply handle any bill before us. As I started out to say, we had one hearing on it. We came to discuss it and there were about five members of the committee who wanted additional time to hear it. We did that. We have had it on executive session. We have it scheduled in the near future. I think when the Judiciary Committee has been handed the responsibility to deal with a matter as important as this, then the committee ought to have an opportunity to deliberate on it. After that it will be a matter for Rules Committee to determine--whether or not it comes immediately to the floor."

The Speaker: "You are speaking beyond the point of personal privilege now, Mr. Knowles. You are speaking on the motion. I would have to recognize you again for that purpose."

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

Mr. Kelley spoke against the motion by Mr. Barden.

Mr. Barden closed debate, speaking again in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Barden to relieve the Committee on Judiciary of House Bill No. 459 and that it be placed on the second reading calendar directly following House Bill No. 766, and the motion was lost by the following vote: Yeas, 32; nays, 63; not voting, 3.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hendricks, Hoggins, Jueling, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Polk, Pullen, Schumaker, Smythe, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hayner, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Patterson, Perry, Rabel, Randall, Savage, Shipoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Brown, Julin, North L.

The House resumed consideration of HOUSE BILL NO. 766 on second reading.

On motion of Mr. Parker, the following amendment by Representatives Parker and Kopet was adopted:

On page 4, section 6, line 24 after "information" insert "and that, if the drug dispensed is a trial sample in its original package and which is labeled in accordance with federal law or regulation, there need be set forth additionally only the name of the issuing practitioner and the name of the patient"

House Bill No. 766 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 766 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 766, and the bill passed the House by the following vote: Yeas, 98; nays, 0, not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 766, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

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

## PARLIAMENTARY INQUIRY

Mr. Pardini: "Mr. Speaker, several of the newer members of our caucus have wondered if they can still introduce legislation--if we are still allowing introduction, or if there is any cut-off. I have told them, to the best of my knowledge, there is no cut-off in the introduction of legislation. Is that correct, sir?"

## REPLY BY THE SPEAKER

The Speaker: "Representative Pardini, there is no official cut-off. We have discouraged the members of our caucus from entering any legislation unless it is of extreme major importance because it is very doubtful that it would be considered at this late date. However, there is no official cut-off at this time."

## MOTIONS

On motion of Mr. Thompson, HOUSE BILL NO. 1092 was rereferred from the Committee on State Government to the Committee on Local Government.

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

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Bagnariol, you mentioned tax reform. I missed the notice. Do we have specific bills that are going to be considered in Revenue Committee?"

Mr. Bagnariol: "We don't have specific bills scheduled. We are having a meeting to discuss the overall problems of tax reform at the request of your caucus. Some of your members came to me this morning and asked if they could be excused from the orientation on the K-12 budget, and if they could have a work session on tax reform instead. I asked our members of Revenue Committee if they would be willing to forego the orientation meeting, and they said they would. So we don't have any specific bills on tap for this afternoon, however, that doesn't mean that a specific bill may not be considered."

## MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Tuesday, March 27, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



## NINETEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 27, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles A. Loyer of Westminster United Churches of Olympia.

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

## MESSAGE FROM THE GOVERNOR

March 26, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on March 26, 1973, Governor Evans approved the following House Bill entitled:

HOUSE BILL NO. 502: Implementing laws relating to nuclear thermal power facilities.

Sincerely,  
JOHN H. BRIGHT,  
Legislative Counsel.

## MESSAGE FROM THE SENATE

March 26, 1973

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2071, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORTS OF STANDING COMMITTEES

March 24, 1973

HOUSE BILL NO. 303, Prime Sponsor: Representative Moon, requiring state-wide reporting of all fires in the state to be submitted to the state fire marshal, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following

amendment:

On page 1, line 25 after "necessary" and before the period insert "PROVIDED, That the state fire marshal and the department of natural resources shall cooperatively agree relative to the statistical information reported on forest fires under the jurisdiction of the department"

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Cunningham, Ehlers, Gaines, Hendricks, Kopet, Lysen, Moon, Perry, Polk.

March 22, 1973

HOUSE BILL NO. 742, Prime Sponsor: Representative Valle, setting forth rights for part time faculty instructors of community colleges, reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Maxie, Chairwoman; Goltz, Vice Chairman; Anderson, Benitz, Charnley, Erickson, King, Kraabel, Patterson, Valle, Wilson, Wojahn.

March 26, 1973

HOUSE BILL NO. 781, Prime Sponsor: Representative Charette, defining employment for purposes of the unemployment compensation act, reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 16 after "nurseries:" strike all of the material down through the period on line 18, and insert "nor shall the exemption apply after December 31, 1973 for services performed for a dairy farmer in connection with the processing, bottling, packaging and delivery of retail dairy products made or prepared from the milk produced on such dairy farmer's own farm."

On page 2, section 1, line 15 after "delivery of" insert "nonfruit bearing"

On page 2, section 1, line 15 after "trees or" insert "nonfruit bearing"

Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, May, Parker.

March 24, 1973

HOUSE BILL NO. 1071, Prime Sponsor: Representative Williams, providing for protection of copyrights of sound recordings, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Cunningham, Ehlers, Gaines, Hendricks, Kopet, Lysen, Moon, Perry, Polk.

March 26, 1973

HOUSE JOINT MEMORIAL NO. 20, Prime Sponsor: Representative Pullen, petitioning Congress to amend the social security laws to prevent loss of benefits by persons earning reduced wages in the years immediately prior to social security eligibility, reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; Bausch, Beck, Freeman, Kopet, Morrison, Parker.

March 26, 1973

REENGROSSED SENATE BILL NO. 2101, Prime Sponsor: Senator Durkan, providing for the regulation and licensing of plumbers, reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, Kopet, Matthews, May, Parker.

March 26, 1973

REENGROSSED SENATE BILL NO. 2183, Prime Sponsor: Senator Talley, licensing journeymen electricians, reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, Matthews, May, Parker.

March 22, 1973

ENGROSSED SENATE BILL NO. 2438, Prime Sponsor: Senator Donohue, 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 Representatives Maxie, Chairwoman; Goltz, Vice Chairman; Anderson, Benitz, Charnley, Erickson, King, Kraabel, Patterson, Valle, Wojahn.

MOTION

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to Committee on Rules for second reading with the exception of ENGROSSED SENATE BILL NO. 2438, to be rereferred to the Committee on Ways and Means - Appropriations.

The motion was carried.

## SECOND READING

HOUSE BILL NO. 435, by Representatives Bausch, Hendricks, Thompson, Adams, Bender, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kilbury, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North (Frances), Paris, Parker, Savage, Smith, Valle, Van Dyk, Warnke, Wojahn and Williams (by Public Employees' Retirement Board request):

Making certain revisions in the public employees' retirement system.

## MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 435, and the bill was ordered placed on Thursday's second reading calendar.

HOUSE BILL NO. 356, by Representatives Conner, Bauer, Zimmerman, Schumaker and Beck:

Changing certain legal holidays.

The bill was read the second time.

Mr. Hoggins moved adoption of the following amendment:

On page 1, section 1, line 22 after "holiday" strike the period and insert "provided school shall not be taught on these days."

Mr. Hoggins spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Swayze: "Will Mr. Hoggins yield to question?"

Mr. Hoggins refused to yield to question.

The amendment was not adopted.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and House Bill No. 356 be placed on final passage.

The motion was carried on a rising vote.

Representatives Conner, Zimmerman, Beck and Tilly spoke in favor of passage of the bill, and Representatives Rabel, Swayze, Pardini and Brown spoke against it.

Mr. Conner spoke again in favor of the bill, and Mr. Rabel spoke again in opposition to it.

Mr. Barden demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 356, and the bill passed the House by the following vote: Yeas, 76; nays, 21; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kuehne, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Brown, Charnley, Douthwaite, Freeman, Garrett, Gilleland, Hoggins, Jueling, Julin, Kopet, Kraabel, Leckenby, Matthews, Nelson, North L., Pardini, Rabel, Smythe, Swayze.

Not voting: Representative Benitz.

House Bill No. 356, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

I wished to be recorded as voting in favor of House Bill No. 356. I was off the floor on a long-distance phone call. The voting bell did not ring and therefore I missed voting in favor of this bill.

MAX E. BENITZ, 8th District.

## MOTION

On motion of Mr. Chatalas, House Bill No. 356 was ordered transmitted immediately to the Senate.

HOUSE BILL NO. 1047, by Representatives Newhouse, Haussler and Pardini:

Regulating the interest rate upon public funds held as time deposits.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments see Journal for fourteenth day, ex. sess., March 22, 1973.)

The bill was read the second time.

On motion of Mr. Ceccarelli, the committee amendment to page 1, line 10 was adopted.

Mr. Ceccarelli moved adoption of the amendment adding a new section 2 to House Bill No. 1047.

Representatives Ceccarelli, Newhouse, Pardini and Haussler spoke in favor of adoption of the committee amendment, and Representatives Bausch, Moon, Charette and Eng spoke against it.

The committee amendment was lost on a rising vote.

On motion of Mr. Ceccarelli, the committee amendment to the title was not adopted.

House Bill No. 1047 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1047 was placed on final passage.

Representatives Newhouse and Haussler spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1047, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Mr. Speaker.

Engrossed House Bill No. 1047, having received the constitutional 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 Lt. Governor request):

Regulating emergency medical care and health services.

## MOTIONS

On motion of Mr. Thompson, the House deferred consideration of Engrossed Substitute Senate Bill No. 2365, and the bill was ordered placed on tomorrow's second reading calendar.

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

## THIRD READING

SUBSTITUTE HOUSE BILL NO. 392, by Committee on Judiciary (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.

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

Representatives Wojahn, Paris and Savage spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 392, and the bill passed the House by the following vote: Yeas, 77; nays, 17; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charette, Charnley, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Matthews, May, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Beck, Ceccarelli, Chatalas, Conner, Eikenberry, Flanagan, Gallagher, Haussler, Hurley, Kopet, Luders, Martinis, McCormick, North F., O'Brien, Parker.

Not voting: Representatives Maxie, Perry, Randall, Warnke.

Substitute House Bill No. 392, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 463, by Representatives Berentson, Van Dyk, Hansey and Charette:

Authorizing port district studies on industrial development.

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

Mr. Berentson spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 463, and the bill passed the House by the following vote: Yeas, 75; nays, 17; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, May, McCormick, Morrison, Nelson, O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Savage, Schumaker, Smith, Smythe, Swayze, Thompson, Tilly, Valle, Van Dyk, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Barden, Charnley, Chatalas, Cunningham, Eikenberry, Erickson, Hurley, Kuehnle, Lysen, Moon, Newhouse, North F., North L., Shinpoch, Sommers, Williams, and Mr. Speaker.

Not voting: Representatives Hayner, Kelley, Maxie, Perry, Randall, Warnke.

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.

#### MOTION

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

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### SECOND READING

HOUSE BILL NO. 10, by Representatives Ehlers, Shinpoch, Wojahn and Goltz:

Providing that there shall be no disclaimer of implied warranties relating to consumer goods.



## MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 10, and the bill was ordered placed on tomorrow's second reading calendar.

HOUSE BILL NO. 64, by Representatives Conner and Gilleland:

    Taxing motor vehicle fuel in the state of Washington.

## MOTION

On motion of Mrs. McCormick, Substitute House Bill No. 64 was substituted for House Bill No. 64, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 64 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 64 was placed on final passage.

Mr. Conner spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 64, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Hoggins.

Not voting: Representatives Gilleland, Nelson, Rabel.

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.

## STATEMENT FOR THE JOURNAL

Please let the record reflect that I voted "yea" on Substitute House Bill No. 64.

GARY A. NELSON, 21st District.

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.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 178 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 178, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Matthews.

Not voting: Representative Gilleland.

House Bill No. 178, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

HOUSE BILL NO. 387, by Representatives Wojahn, Kuehnle, Erickson and Ehlers (by Joint Committee on Education request):

Implementing law relating to school district organization.

Committee on Education recommendation: Majority, do pass as amended. (For amendments see Journal for fortieth day, February 16, 1973.)

The bill was read the second time.

Mr. Bauer moved adoption of the committee amendment to page 1, line 18.

Mr. Julin moved adoption of the following amendment to the committee amendment:

On line 3 of the amendment to page 1, section 1, line 18 after "equal" and before "percent" strike "five" and insert "twenty"

Mr. Julin spoke in favor of the amendment to the amendment, and Mr. Smythe spoke against it.

#### POINT OF INQUIRY

Mr. Smythe yielded to question by Mr. Eng.

Mr. Eng: "Representative Smythe, what if five percent of the people do go out and they do get their wish, then five percent of the people decide they don't like it this way and they want to go back the other way, and they get a petition. What recourse do they have? Do they also have the right to refuse these other five percent who got their way?"

Mr. Smythe: "It means they go to director districts, and they will have director districts--people will vote on it."

Mr. Eng: "But what if five percent of the people also decide after that happens they don't like that idea and they want to go back the other way?"

Mr. Smythe: "There is an election provision, I believe, that would allow them to abolish it through the elective process. I think it is by a simple majority."

Mr. Julin spoke again in favor of the amendment to the amendment, and Representatives Hoggins and Wojahn spoke against it.

Mr. Julin closed debate, speaking again in favor of the amendment to the amendment.

The amendment by Mr. Julin to the committee amendment was lost on a rising vote.

The Speaker stated the question before the House to be the committee amendment to page 1, line 18.

Mr. Bauer spoke in favor of the amendment and Mrs. Hayner spoke against it.

## POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Julin.

Mr. Julin: "Representative Bauer, with this bill, and the laws that it will amend, assume that five percent of the voters sign the petition provided for in this amendment, and there is then a change to the director district concept. What provision in the law will there be for five percent or more to petition to change that? I believe there is none, and I want to know whether or not I am correct."

Mr. Bauer: "My interpretation is that there are no provisions for the reversal."

Representative Julin spoke against adoption of the committee amendment, and Representatives Kilbury and Lysen spoke in favor of it.

## POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Ehlers.

Mr. Ehlers: "As I understand the effect then of voting down this committee amendment, which I think Representative Lysen reported accurately, is that this would apply to all districts as a mandatory thing. There would be no option--there would be no compromise. It would be mandatory and would apply to all school districts. Is that correct?"

Mrs. Wojahn: "That is correct--if they were above 1,000 population."

## POINT OF INQUIRY

Mr. Polk yielded to question by Mr. Smythe.

Mr. Smythe: "Representative Polk, you somehow abolished director districts in Mercer Island. How did you do that?"

Mr. Polk: "The citizens of Mercer Island circulated a petition to the Mercer Island School Board and gained signatures. I don't know how many signatures were needed to be gained to present this petition. The school board put the issue to a vote of the people. By 80 percent vote of the citizens of Mercer Island, the director districts were abolished."

Mr. Smythe: "That apparently is an answer to Representative Julin that you do have a provision here to abolish it. We are not changing that law, right?"

Mr. Polk: "Well, if that question was to me, my interpretation is, yes, we are changing that law."

Mr. Smythe: "If we were to adopt the amendment that is before us, it does allow for the provision that you said you have actually exercised?"

Mr. Polk: "Yes, it would. By adopting this committee amendment, in point of fact, it would require about 800 and some voters of the city of Mercer Island to present a petition then to the school board in order to go to the director districts, as I understand it."

Mr. Smythe spoke in favor of the committee amendment.

The committee amendment was adopted.

On motion of Mr. Bauer, the committee amendment to page 2, line 32, was adopted.

Mr. Polk moved adoption of the following amendments by Representatives Polk and Julin:

On page 1, section 1, line 16 strike "one thousand" and insert "seven thousand five hundred"

On page 2, section 2, line 27 strike "one thousand" and insert "seven thousand five hundred"

Representatives Polk and Julin spoke in favor of the amendments, and Representatives Hoggins, Bauer, Brown and Smythe spoke against the amendments.

Mr. Polk closed debate, speaking again in favor of the amendments.

The amendments by Representatives Polk and Julin were not adopted.

Mr. Polk moved adoption of the following amendment by Representatives Polk and Julin:

On page 2, section 1, line 19 before the period insert ": PROVIDED, That any school district by direct election of the voters of that district may decide not to establish director districts: PROVIDED, FURTHER, That if such an election has been held within the past two years no further election shall be necessary and the results of such election shall remain in force until such time as the question may again be put to the voters of that district."

Representatives Polk, Julin and Kuehne spoke in favor of adoption of the amendment.

The amendment was lost on a rising vote.

House Bill No. 387 was ordered engrossed.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 387 be placed on final passage.

The motion was lost on a rising vote.

Engrossed House Bill No. 387 was passed to the

Committee on Rules for third reading.

SPEAKER'S PRIVILEGE

The Speaker recognized Kevin Pobst of Orondo, Speaker of the House of Representatives of the Y.M.C.A. Youth Legislature, to be held in May, and asked him to stand and be recognized.

MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

SECOND READING

HOUSE BILL NO. 458, by Representatives Pardini, Savage, Pullen, Cunningham, Wilson and Hendricks (by Executive request):

Amending the partial benefit formula for unemployment compensation.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 458 was placed on final passage.

Mr. Savage spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 458, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris,

Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gilleland, North L.

House Bill No. 458, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 485, by Representatives Bagnariol and Pardini:

Implementing the laws of insurance rates.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments see Journal for forty-second day, February 18, 1973.)

The bill was read the second time.

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

House Bill No. 485 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 485 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 485, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Gilleland.

Engrossed House Bill No. 485, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 621, by Representatives Thompson, Berentson, Perry and Polk:

Providing for environmental protection in public construction contracts.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendments see Journal for sixth day, ex. sess., March 14, 1973.)

The bill was read the second time.

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

House Bill No. 621 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 621 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 621, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Gilleland.

Engrossed House Bill No. 621, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



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.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments see Journal for eleventh day, ex. sess. March 19, 1973.)

The bill was read the second time.

On motion of Mr. Haussler, the committee amendments to the body of the bill were adopted.

Mr. Douthwaite moved adoption of the following amendment:

On page 1, section 1, following "corporation" on the last line of the committee amendment insert ": PROVIDED FURTHER, That nothing in this section shall apply to state agencies or institutions or municipal corporations which are receiving fire protection services by contract from another municipality, city, town, or other entities"

Representatives Douthwaite and Kuehnle spoke in favor of adoption of the amendment.

The amendment by Mr. Douthwaite was adopted.

On motion of Mr. Haussler, the committee amendment to the title was adopted.

House Bill No. 685 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 685 was placed on final passage.

Mr. Kuehnle spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 685, and the bill passed the House by the following vote: Yeas, 91; nays, 5; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle,

Van Dyk, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Curtis, Hoggins,  
Tilly, Warnke, Zimmerman.

Not voting: Representatives Gilleland, Pardini.

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.

HOUSE BILL NO. 761, by Representatives Smythe, Eikenberry, Smith, Barden, Parker and Tilly:

Increasing penalties for defrauding hotels, inns, restaurants and boarding houses.

Committee on Judiciary recommendation: Majority, do pass as amended. For amendments see Journal for sixteenth day, ex. sess., March 24, 1973.)

The bill was read the second time.

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

House Bill No. 761 was ordered engrossed and passed to Committee on Rules for third reading.

The Speaker resumed the Chair.

SENATE BILL NO. 2293, by Senators Francis, Peterson (Ted) and Connor:

Enlarging scope for investments under the Refunding Bond Act.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments see Journal for fifty-third day, March 1, 1973.)

The bill was read the second time.

Mr. Gaspard moved adoption of the committee amendment to the body of the bill.

Mr. Ceccarelli moved adoption of the following amendments to the committee amendment:

On page 3, line 16 strike everything down to and including "redeemed." on line 26

On line 26 strike "redemption" and insert "right of prior redemption and redemption"

Mr. Ceccarelli spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Barden: "Mr. Speaker, it is hard for me to understand exactly how this is going to help the marketability of the bonds. The credit behind the bonds is the same whether or not you change this wordage. I wonder if anyone here on the floor could tell me how this is going to improve the marketability of the bonds? Representative Ceccarelli is standing."

Mr. Ceccarelli: "Representative Barden, these amendments were worked out by the people who were active in the bond market. This one was worked on by the Association of Washington Ports, and they have had requests from the City of Seattle and also the State Treasurer in developing language that would develop a greater marketability. On page 3 of the bill, what we are doing, on line 26 we are saying, 'The governing body may fix any redemption premium or premiums as it may in its descretion determine advisable.' This just inserts 'right of prior redemption and redemption.' They feel this would help them in the marketability of these bonds when they come up for redemption. I don't think that the substantive change is going to destroy any intent in the bill, and apparently it is just language that they feel they can live with better in the marketability."

POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Ceccarelli, I notice the language you are striking is part of existing law. Are you suggesting then that this language in some form will be added by administrative code rather than law?"

Mr. Ceccarelli: "I really have no idea."

Mr. Newhouse: "Can you tell me who drafted the change which you are suggesting?"

Mr. Ceccarelli: "I think I indicated that in my prior statement. It was drafted by the Washington Public Port Association. They are in the bond market in a very real way. They felt this would give them greater flexibility."

POINT OF INQUIRY

Mr. Newhouse: "May I ask the same question of Representative Pardini?"

Mr. Pardini: "Mr. Newhouse, I am not absolutely certain, but I think in line 16 through 25 which we are striking, they have the right to issue bonds in there for a period of up to six months and not later than five years. But taking that language out, I think the second half of Representative Ceccarelli's amendment that says the 'right of prior redemption and redemption...' it really says the governing body may fix any right of prior redemption and

redemption which is the six months to five years that we are striking, but we are not putting it in there statutorily. They can then do it in any way that they see fit or most appropriate for them to issue the bonds."

Representatives Barden and Douthwaite spoke against the amendments by Mr. Ceccarelli to the committee amendment.

#### MOTION

On motion of Mr. Thompson, the House deferred further consideration of Senate Bill No. 2293 on second reading, and the bill was ordered placed on tomorrow's second reading calendar.

#### THIRD 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, Hayner, Garrett, Kilbury, Matthews, Nelson, Pardini, Patterson, Pullen, Schumaker, Tilly, Wilson and Zimmerman - by Property Tax Committee request):

Making certain amendments to the open space lands taxation laws.

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

Representatives Brown and Charette spoke against passage of the bill, and Representatives Flanagan, Hansen, Berentson, Bluechel, Kilbury, Benitz, Van Dyk, Randall, Pullen and Haussler spoke in favor of the bill.

Representatives Charette and Brown spoke again in opposition to the bill.

Mr. Newhouse demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 53, and the bill passed the House by the following vote: Yeas, 70; nays, 28; not voting, 0.

Voting yea: Representatives Amen, Bauer, Beck, Benitz, Berentson, Bluechel, Ceccarelli, Charnley, Conner, Curtis, Ehlers, Ellis, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Smythe, Swayze, Tilly, Valle, Van

Dyk, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bausch, Bender, Blair, Brown, Charette, Chatalas, Clemente, Cunningham, Douthwaite, Eikenberry, Eng, Gaines, Gaspard, Kelley, King, Lysen, Perry, Shinpoch, Sommers, Thompson, Warnke, Williams, Wojahn, and Mr. Speaker.

Substitute House Bill No. 53, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

Mr. Newhouse moved that Substitute House Bill No. 53 be transmitted immediately to the Senate.

The motion was lost.

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

On motion of Mr. Charette, the House adjourned until 9:30 a.m. Wednesday, March 28, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

-----  
 TWENTIETH DAY  
 -----

MORNING SESSION  
 -----

House Chamber, Olympia, Wash., Wednesday, March 28, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Hayner who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles A. Loyer of the Westminster United Presbyterian Church of Olympia.

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

MESSAGES FROM THE SENATE

March 27, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2153,  
 SENATE BILL NO. 2161,  
 SENATE BILL NO. 2288,  
 ENGROSSED SENATE BILL NO. 2326,  
 SENATE BILL NO. 2353,  
 SENATE BILL NO. 2388,  
 ENGROSSED SENATE BILL NO. 2465,  
 SENATE BILL NO. 2475,  
 ENGROSSED SENATE BILL NO. 2524,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2600,  
 ENGROSSED SENATE BILL NO. 2656,  
 ENGROSSED SENATE JOINT MEMORIAL NO. 125,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 27, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 291,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1096, by Representatives Kalich, Martinis and Jastad:

AN ACT Relating to the log patrol; amending section 1, chapter 182, Laws of 1957 and RCW 76.40.010; amending section 2, chapter 140, Laws of 1953 as amended by section 1, chapter 108, Laws of 1955 and RCW 76.40.012; amending section 9, chapter 182, Laws of 1957 and RCW 76.40.013; amending section 1, chapter 140, Laws of 1953 and RCW 76.40.015; amending section 1, chapter 116, Laws of 1947 as last amended by section 2, chapter 182, Laws of 1957 and RCW 76.40.020; amending section 3, chapter 116, Laws of 1947 as last amended by section 1, chapter 12, Laws of 1963 and RCW 76.40.030; amending section 4, chapter 116, Laws of 1947 as amended by section 4, chapter 182, Laws of 1957 and RCW 76.40.040; amending section 5, chapter 116, Laws of 1947 as last amended by section 5, chapter 182, Laws of 1957 and RCW 76.40.050; amending section 6, chapter 116, Laws of 1947 and RCW 76.40.060; amending section 8, chapter 116, Laws of 1947 as amended by section 6, chapter 182, Laws of 1957 and RCW 76.40.070; amending section 12, chapter 116, Laws of 1947 as last amended by section 7, chapter 182, Laws of 1957 and RCW 76.40.110; amending section 14, chapter 116, Laws of 1947 and RCW 76.40.120; amending section 3, chapter 140, Laws of 1953 and RCW 76.40.122; amending section 4, chapter 140, Laws of 1953 and RCW 76.40.124; amending section 6, chapter 140, Laws of 1953 as last amended by section 8, chapter 182, Laws of 1957 and RCW 76.40.127; amending section 7, chapter 140, Laws of 1953 as amended by section 8, chapter 108, Laws of 1955 and RCW 76.40.128; adding new sections to chapter 76.40 RCW; repealing section 13, chapter 140, Laws of 1953 and RCW 76.40.016; repealing section 10, chapter 116, Laws of 1947 and RCW 76.40.090; repealing section 11, chapter 116, Laws of 1947 and RCW 76.40.100; repealing section 5, chapter 140, Laws of 1953, section 6, chapter 108, Laws of 1955 and RCW 76.40.125; prescribing penalties; and providing an effective date.

To Committee on Natural Resources.

HOUSE BILL NO. 1097, by Representatives Smythe and Hoggins:

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 82.08.030, 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 82.12.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 281, Laws of 1971 ex. sess. and RCW 82.12.020; adding a new section to chapter 82.04 RCW; adding a

new section to chapter 82.16 RCW; adding a new section to chapter 84.52 RCW; creating new sections; and declaring an emergency.

To Committee on Ways and Means - Revenue.

HOUSE CONCURRENT RESOLUTION NO. 47, by Representatives Swayze, Morrison, Newhouse, Pardini, Juelling, Nelson, Smythe, Hoggins, Julin, Wilson, Berentson, Polk, Patterson, Freeman, Garrett, Hendricks, Cunningham, Eikenberry, North (Lois), Leckenby, Curtis, Zimmerman, Amen, Flanagan, Bluechel, Kopet, Hansey, Paris, Hayner, Benitz, Brown, Tilly, Matthews, Pullen and Kraabel:

Providing cut-off and adjournment dates.

To Committee on State Government.

ENGROSSED 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; and declaring an emergency.

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.

To Committee on Judiciary.

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.

To Committee on Judiciary.



ENGROSSED 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.

To Committee on State 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.

To Committee on Constitution and Elections.

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.

To Committee on Local Government.

ENGROSSED 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.

To Committee on Constitution and Elections.

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.

To Committee on State Government.

ENGROSSED 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 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.

To Committee on Financial Institutions.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2600, by Committee on State Government (Originally sponsored by Senators Rasmussen and Walgren - by Liquor Control Board request):

AN ACT Relating to intoxicating liquor; adding a new section to chapter 66.08 RCW; 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 21, 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-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-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 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; 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.

To Committee on Commerce.

ENGROSSED 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.

To Committee on Financial Institutions.

#### MOTIONS

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

Mr. Smythe moved that the motion by Mr. Thompson be amended, that the rules be suspended and HOUSE BILL NO. 1097 be placed on the second reading calendar.

Mr. Smythe spoke in favor of the motion and Mr. Bagnariol spoke against it.

Mr. Hoggins rose to speak on the motion.

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "This motion was made under a suspension of the rules. Under our House rules one person may speak for the motion and one person may speak against it, and this has been done."

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

## ROLL CALL

The Clerk called the roll on the motion by Mr. Smythe that the motion by Mr. Thompson be amended and that House Bill No. 1097 be placed on second reading, and the motion was lost by the following vote: Yeas, 28; nays, 66; not voting, 4.

Voting yea: Representatives Bauer, Benitz, Blair, Bluechel, Brown, Curtis, Hansey, Hoggins, Juelling, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Matthews, Morrison, Nelson, North L., Pardini, Paris, Patterson, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Berentson, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Luders, Martinis, Maxie, May, McCormick, Moon, Newhouse, North F., O'Brien, Perry, Polk, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hayner, Julin, Lysen, Parker.

## MOTION

Mr. Morrison moved that Mr. Thompson's motion be amended to exclude HOUSE CONCURRENT RESOLUTION NO. 47, and that it be placed immediately before the body.

Mr. Morrison spoke in favor of the motion, and Mr. Charette spoke against it.

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

## ROLL CALL

The Clerk called the roll on the motion by Mr. Morrison that Mr. Thompson's motion be amended to exclude House Concurrent Resolution No. 47, and that it be placed immediately before the body, and the motion was lost by the following vote: Yeas, 39; nays, 55; not voting, 4.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hendricks, Hoggins, Juelling, Kopet, Kraabel, Kuehnle,

Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

Not voting: Representatives Hayner, Julin, Lysen, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Thompson that all bills, memorials and resolutions printed on today's agenda be considered first reading under the fourth order of business and be referred to the committees so designated.

The motion was carried.

#### MOTION

On motion of Mr. Thompson, HOUSE BILL NO. 1054 was rereferred from the Committee on Social and Health Services to the Committee on Ways and Means - Appropriations.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 46, by Representative Moon:

Report from Astronauts of Apollo 17.

Mr. Thompson moved that the rules be suspended, House Concurrent Resolution No. 46 be advanced to second reading and read the second time.

Mr. Charette spoke in favor of the motion.

The motion was carried.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 46 was placed on final passage and adopted.

#### MOTION

On motion of Mr. Thompson, House Concurrent Resolution No. 46 was ordered transmitted immediately to the Senate.

## REPORTS OF STANDING COMMITTEES

March 26, 1973

HOUSE BILL NO. 674, Prime Sponsor: Representative Wojahn, providing for the licensing of persons who fit and dispense hearing aids, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives, Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Portson, Freeman, Hendricks, Jastad, Johnson, Kelley, Matthews, Paris, Wojahn.

March 27, 1973

HOUSE BILL NO. 705, Prime Sponsor: Representative Bagnariol, permitting a health care service subscriber ten days to reject a health care services contract, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2, beginning on line 24 after "RCW" strike all of the matter down to and including "notice))" on line 27 and insert "((after written notice by the commissioner of such failure to comply and expiration of a reasonable period for compliance as specified in such notice))"

On page 4, section 4, line 31 after "promptly" and before "fee" on line 32 strike "and" and insert "any"

Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Barden, Berentson, Blair, Chatalas, Eikenberry, Kelley, Leckenby, Luders, Moon, Parker, Van Dyk.

March 26, 1973

HOUSE BILL NO. 834, Prime Sponsor: Representative Hoggins, permitting cities and towns to contract with private firms for promotional service, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

Beginning on line 17 add a new section to read as follows:

NEW SECTION. Sec. 3. There is added to chapter 36.01 RCW a new section to read as follows:

Any county may contract with any nongovernmental agency or business for the purpose of providing promotional services for such county including but not limited to promotions such as attracting tourists or attracting various types of industry to such county."

In line 2 of the title after "35A.21 RCW" insert "; and adding a new section to chapter 36.01 RCW"

Signed by Representatives Haussler, Chairman; Kalich, Subcommittee Chairman; Amen, Blair, Kuehnle, Laughlin, Martinis, Nelson, North (Frances), North (Lois), Patterson, Smythe, Zimmerman.

March 27, 1973

HOUSE BILL NO. 894, Prime Sponsor: Representative King, relating to elections, voting and voter registration, reported by Committee on Constitution and Elections.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Conner, Eng, Erickson, Knowles, Maxie.

March 26, 1973

HOUSE BILL NO. 1014, Prime Sponsor: Representative Moon, imposing a corporate franchise tax to eliminate excess levies, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 2, line 18 after "in effect" strike the remainder of the sentence and insert "on January 1, 1974."

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Erickson, Goltz, Hurley, Kilbury, King, Moon, Sawyer, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Benitz, Bluechel, Eikenberry, Flanagan, Julin, Kuehnle, Newhouse, Pardini.

March 27, 1973

HOUSE BILL NO. 1034, Prime Sponsor: Representative Goltz, making changes in the procedures for distribution of voter registration lists, reported by Committee on Constitution and Elections.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Conner, Eng, Erickson, Knowles, Maxie.

March 26, 1973

HOUSE BILL NO. 1048, Prime Sponsor: Representative Gilleland, revising the distribution of funds in the Puget Sound ferry operations account, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Ceccarelli, Clemente, Douthwaite, Gaines, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Nelson, Patterson, Pullen, Schumaker.

March 26, 1973

HOUSE BILL NO. 1063, Prime Sponsor: Representative Douthwaite, making certain changes in the administration of metropolitan public transportation facilities, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Ceccarelli, Clemente, Douthwaite, Gaines, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Lysen, Patterson, Pullen, Schumaker.

March 27, 1973

HOUSE JOINT RESOLUTION NO. 40, Prime Sponsor: Representative Thompson, changing the requirements for passage of bond propositions, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Conner, Eng, Erickson, Hayner, Knowles, Maxie.

March 26, 1973

HOUSE CONCURRENT RESOLUTION NO. 30, Prime Sponsor: Representative Laughlin, providing for a study of transportation facilities in Clark county, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 22 after "representatives of" insert "companies offering services and equipment in the field of transportation and"

On page 1, line 25 after "committee" and before "prepare" insert ", working in conjunction with the department of highways,"

On page 2, line 3 after "committee" and before "is authorized" insert ", working in conjunction with the department of highways,"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Ceccarelli, Clemente, Douthwaite, Gaines, Garrett,



Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Lysen, Nelson, Patterson, Schumaker.

March 26, 1973

ENGROSSED SENATE BILL NO. 2306, Prime Sponsor: Senator Woody, 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 amendment:

On page 1, section 1, beginning on line 8 after "county may" strike all the material down to and including "county," on line 9

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Kuehne, Laughlin, Martinis, Nelson, North (Frances), North (Lois), Smythe, Zimmerman.

March 26, 1973

ENGROSSED SENATE BILL NO. 2311, Prime Sponsor: Senator Wanamaker, 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 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"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Ceccarelli, Clemente, Douthwaite, Gaines, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Patterson, Pullen, Schumaker.

March 27, 1973

SENATE BILL NO. 2515, Prime Sponsor: Senator Francis, authorizing the investment of trust funds in certain policies of life insurance, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Barden, Berentson, Blair, Chatalas, Eikenberry, Kelley, Leckenby, Moon, Pardini, Parker, Van Dyk.

March 27, 1973

ENGROSSED SENATE BILL NO. 2525, Prime Sponsor: Senator Bailey, providing procedures for the solicitation of funds for or in the name of charity, reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Gallagher, Garrett, Gilleland, Randall, Williams, Wilson.

March 27, 1973

SENATE BILL NO. 2571, Prime Sponsor: Senator Walgren, increasing the loan limits of member institutions of industrial development corporations, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

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."

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"

Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Kelley, Leckenby, Luders, Moon, Pardini, Parker, Van Dyk.

March 27, 1973

SENATE BILL NO. 2643, Prime Sponsor: Senator Dore, 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 Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Barden, Berentson, Blair, Chatalas, Eikenberry, Kelley, Leckenby, Luders, Pardini, Parker.

## MOTION

Mr. Thompson moved that all reports of standing committees listed on the fifth order of business be passed to the Committee on Rules for second reading.

## POINT OF ORDER

Mr. Swayze: "Under House Rule No. 81 as amended on February 7, I challenge the proper presence of House Bill No. 1014 before this body on a 'do pass' recommendation from the Committee on Ways and Means, Subcommittee on Revenue. House Rule No. 81 provides that 'any bill estimated to raise or lower a revenue source by five million dollars or more over a four-year period shall be acted upon and reported by the whole Ways and Means Committee.'"

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "In connection with your point of order, Mr. Swayze, it is the Speaker's opinion that your point is well taken."

## MOTION

On motion of Mr. Charette, the motion by Mr. Thompson was amended and HOUSE BILL NO. 1014 was rereferred to the Committee on Ways and Means.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Thompson, as amended, that all reports of standing committees listed on the fifth order of business be passed to the Committee on Rules for second reading.

The motion was carried.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2365, by Committee on Social and Health Services (Originally sponsored by Senators Durkan, Woodall, Ridder, Connor and Knoblauch - by Lt. Governor request):

Regulating emergency medical care and health services.

## MOTION

On motion of Mr. Charette, the House deferred consideration of Engrossed Substitute Senate Bill No. 2365, and the bill was ordered placed on tomorrow's second reading calendar.

HOUSE BILL NO. 10, by Representatives Ehlers, Shinpoch, Wojahn and Goltz:

Providing that there shall be no disclaimer of implied warranties relating to consumer goods.

## MOTION

On motion of Mr. Knowles, Substitute House Bill No. 10 was substituted for House Bill No. 10, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 10 was read the second time.

## MOTION

On motion of Mr. Thompson, the House deferred consideration of Substitute House Bill No. 10, and it was ordered placed on the calendar following Senate Bill No. 2293.

SENATE BILL NO. 2293, by Senators Francis, Peterson (Ted) and Connor:

Enlarging scope for investments under the Refunding Bond Act.

The House resumed consideration of Senate Bill No. 2293 on second reading. (See Journal for nineteenth day, ex. sess., March 27, 1973, for previous action.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments by Mr. Ceccarelli to the committee amendment. With the consent of the House, Mr. Ceccarelli withdrew the amendments and moved adoption of the following substitute amendments:

On page 3, starting on line 16 strike all the material down to and including "redeemed" on line 26 and insert:

"((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-))"

On page 3, line 26 after "any" and before "redemption" insert "right of prior redemption and"

Mr. Ceccarelli spoke in favor of the amendments, and Mr. Barden spoke against them.

The amendments by Mr. Ceccarelli to the committee amendment were not adopted.

Mr. Ceccarelli moved adoption of the following amendment to the committee amendment:

On page 5, line 8 add a new section as follows:

"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."

Re-number the remaining sections consecutively.

Mr. Ceccarelli spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Ceccarelli, I can understand the logic of issuing general obligation bonds to refund bonds that are based on general fund taxes, such as the sales tax or cigarette tax--I wouldn't see anything wrong with that--but I am wondering if this amendment would allow the use of general fund revenues and general fund obligations to refund the type of bonds that are supposed to be funded with user-type services such as highway bonds or the bonds issued for college dormitories and things of this kind that are supposed to be limited to the user fees and not tied to general revenues. I don't think we would want to put the general taxpayer in behind some of these other types of bonds that are supposed to be financed through user fees. Does this amendment allow that?"

Mr. Ceccarelli: "It does, and it doesn't. It doesn't approach the motor vehicle fund. It has nothing to do with fees in the motor vehicle fund. It has only to do with the revenue bonds that are outstanding, that are being paid for through special sources like the sales tax, etc. I might point out that this was necessary because of the court ruling before House Joint Resolution No. 52, where they held that using sales tax to pay off a revenue bond, in essence is the same thing as using general fund moneys, because the sales tax revenues revert to the general fund. So therefore, it had to go back to the vote of the people. Of course, House Joint Resolution No. 52 increased the amount that could be invested by the state to nine percent of the general fund revenue without going to a vote of the people."

Mr. Flanagan: "In your opinion, then, this would not allow the use of general fund revenues to fund bonds to replace the type of bonds that are restricted to, for example, college dormitories and these kind of things that

are supposed to be restricted to fees?"

Mr. Ceccarelli: "No, I think it would allow them to--not in the case of motor vehicle funds--but I think in the case of capital building programs, it would allow them to get reverse refunding on these bonds that were put for capital expenditures from a particular revenue source and allow them to refund it with a general obligation bond."

Representatives Perry, Barden, Bluechel and Goltz spoke in favor of the amendment, and Representatives Leckenby and Douthwaite spoke against it.

Representatives Ceccarelli and Perry spoke again in favor of adoption of the amendment.

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

#### POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Ceccarelli, HJR 52 provided that general obligation bonds of the state could not exceed nine percent of the five-year average of income. The amendment that you have proposed here says the state may issue general obligation bonds which would fall within that category. Number one: Can you tell me specifically, if these general obligation bonds which might be issued if your amendment were adopted, to replace the revenue bonds, would fall below that nine percent category? And number two: Can you give me any idea of what might happen to the user fees that are presently servicing the revenue bonds?"

Mr. Ceccarelli: "Again, this is very complicated. First of all, it is a three-year average. The state is allowed to indebt itself nine percent of the general fund revenue on a three-year average. So if it is above that figure, it would have to go to a vote of the people. However, if they are refunding an old bond, the old bond would not be counted as part of the obligation of the state, because the new bond would be retiring it. So you would only count the amount of the new bond. As long as it falls below the nine percent of the three-year average, it would not have to go to a vote of the people."

Representatives Pardini and Hurley spoke against adoption of the amendment by Mr. Ceccarelli to the committee amendment, and Representatives Ceccarelli and Barden spoke again in favor of it.

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Ceccarelli to the committee amendment to Senate Bill No. 2293, and the amendment was adopted by the

following vote: Yeas, 81; nays, 14; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Douthwaite, Flanagan, Hansen, Haussler, Hurley, Kopet, Leckenby, North L., Pardini, Pullen, Wilson, Zimmerman.

Not voting: Representatives Hayner, Kraabel, Thompson.

The committee amendment to Senate Bill No. 2293, as amended by Mr. Ceccarelli, was adopted.

On motion of Mr. Ceccarelli, the committee amendment to the title was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2293 as amended by the House, was placed on final passage.

Representatives Newhouse, Berentson, Perry, Kilbury, Barden and Ceccarelli spoke in favor of passage of the bill, and Representatives Douthwaite, Flanagan and Leckenby spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2293 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 11; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansey, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Douthwaite,

Flanagan, Haussler, Hurley, Leckenby, North L., Pardini, Pullen, Wilson, Zimmerman.  
Not voting: Representatives Gaspard, Hayner, Kraabel.

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.

SUBSTITUTE HOUSE BILL NO. 10, by Representatives Ehlers, Shinpoch, Wojahn and Goltz:

Providing that there shall be no disclaimer of implied warranties relating to consumer goods.

The House resumed consideration of Substitute House Bill No. 10.

On motion of Mr. Eikenberry, the following amendment was adopted:

On page 2, section 1, line 12 after "for" insert "particular purpose" and on line 13 strike "use"

Mr. Eikenberry moved adoption of the following amendment:

On page 2, section 1, line 16 after "warranted" insert "or which uses such words as 'as is' or 'with all faults'"

Mr. Eikenberry spoke in favor of the amendment and Mr. Ehlers spoke against it.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "This language is a little too complex, and I am not sure I understand it. I am thinking, and would like to use as an example, a friend of mine who operates what he calls a salvage store, buys damaged merchandise. A railroad car is derailed, or there has been a fire somewhere, so he buys the entire stock of merchandise. His entire store, and he does a big volume of business, is full of merchandise, all of which is sold on an 'as is' basis, and all of which is sold at substantially reduced prices. I am sure that he hasn't the faintest idea in many instances, whether some of this merchandise is damaged or whether it isn't, or the extent to which some of it is damaged. If I understand this debate correctly, the Eikenberry amendment would permit the sale of this merchandise as it is. If we did not pass this amendment, then in terms with your line of thinking, this merchant would have to identify each and every piece of merchandise in that store and identify every defect associated with each and every piece of merchandise in that store, which, to my way of thinking, would be an absolute impossibility."

Mr. Ehlers: "To answer your question, Mr. Kuehnle,



again this deals with marketability. It would depend, I would assume, if they were used items--if the items were in fact covered by warranty. There are many factors which go into fitting this Uniform Commercial Code. I believe this particular criticism came along with a number of others--every conceivable thing, including the possibility of Union Pacific selling objects which are dented and uncrated. I have been assured by Professor Cosway and others that there would be no problem with this particular provision as it relates to these kinds of items, depending on whether or not they are new, or if, in fact, there is a warranty. There are a number of factors involved. So I suppose it would depend on the specific case."

## POINT OF INQUIRY

Mr. Laughlin: "Would Representative Eikenberry yield to question, please?"

Mr. Eikenberry refused to yield to question.

Representatives Kelley and Charette spoke against adoption of the admendment by Mr. Eikenberry, and Mr. Julin spoke in favor of it.

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

## POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Tilly.

Mr. Tilly: "I am in a retail business primarily dealing with farm equipment. We do take quite a few items in trade, such as used tractors. I would like to ask, how would this bill affect our sale of used farm equipment?"

Mr. Ehlers: "I believe in the case of any kind of warranty, that you have--let's take, for example, something I know a bit more about, a car, for example. If I understand the particularity, it would only be necessary to indicate that, in fact, something doesn't work, such as the brakes being faulty. That is listing, as far as I am concerned, the particularity. You don't have to indicate why. If you have something wrong, and you have it covered under the 90-day warranty in the case of a car, that is enough particularity. That at least alerts the purchaser that the rest of the warranty is in fact good--the motor and other parts of the particular item. I can't speak for the mechanical part of farm equipment, but I assume you, as a merchant, could with particularity indicate those things that are not covered under whatever warranty you give, if you give a warranty."

Representatives Tilly and Newhouse spoke in favor of the amendment by Mr. Eikenberry and Mr. Smith spoke against it.

Mr. Eikenberry spoke again in favor of the amendment and Mr. Ehlers spoke again in opposition to it.

Mr. Chatalas demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Eikenberry to Substitute House Bill No. 10, and the amendment was lost by the following vote: Yeas, 31; nays, 62; not voting, 5.

Voting yea: Representatives Amen, Benitz, Berentson, Bluechel, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hendricks, Hoggins, Kopet, Kuehnle, Matthews, May, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Hayner, Julin, Kraabel, Paris, Smythe.

Mr. Eikenberry moved adoption of the following amendments:

On page 3, section 2, line 17 after "Limitation of" insert "other" and on line 18 strike "where the loss is commercial"

On page 3, section 2, line 17 after "replacement obligations." make remaining material a new paragraph.

Mr. Eikenberry spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. Ehlers.

Mr. Ehlers: "Perhaps it was a misunderstanding in our conversation--I wasn't aware in our discussion that I had agreed to that. Really what I agreed to was the explanation by Professor Cosway, the father of the Uniform Commercial Code, as of about 10:00 this morning, since he again had gone over this and saw that this entire section is essentially his language. My question is: What in effect, does your amendment do? Frankly I don't see that your amendment is necessary, but perhaps you can explain to the body what it would do."

Mr. Eikenberry: "The first amendment inserts the word 'other' and strikes out the limitation of 'commercial' damages. In other words, it opens up and expands the scope of this limitation by covering all kinds of consequential damages. And by putting it in a separate paragraph, we make it clear that this limitation isn't applying only to

the preceding sentence, but rather to the entire preceding paragraph."

The amendments by Mr. Eikenberry were adopted.

Substitute House Bill No. 10 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 10 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 10, and the bill passed the House by the following vote: Yeas, 81; nays, 15; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Curtis, Flanagan, Freeman, Gilleland, Hansen, Julin, Kopet, Kuehnle, Pardini, Polk, Schumaker, Swayze, Tilly, Zimmerman.

Not voting: Representatives Hayner, Morrison.

Engrossed Substitute House Bill No. 10, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### THIRD READING

ENGROSSED HOUSE BILL NO. 97, by Representatives Hurley, Zimmerman, Thompson and Hoggins (by Legislative Council request):

Providing for compensation in inverse condemnation cases for loss of value where there is no trespass.

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

Representatives Hurley, Barden, Lysen, Kraabel and

Kilbury spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 97, and the bill passed the House by the following vote: Yeas, 75; nays, 20; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Paris, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Beck, Benitz, Berentson, Conner, Flanagan, Freeman, Gaines, Gilleland, Haussler, Juelling, Knowles, Kuehne, Matthews, Morrison, Newhouse, Parker, Patterson, Smythe, Swayze.

Not voting: Representatives Hansey, Hayner, Pardini.

Engrossed House Bill No. 97, having received the constitutional majority, was declared passed. There being no objection, the title fo the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Hayner who was excused.

The Speaker assumed the Chair.

THIRD 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 third time and placed on final passage.

Representatives Ceccarelli and Newhouse spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Ceccarelli.

Mr. Julin: "Mr. Ceccarelli, you listed a number of nations that might be able to have banking facilities in our state. There was one noticeable exception, and I would like your assurance before I vote on this. If a bunch of dumb Swedes get together enough money to form a bank, will they be able to be here?"

Mr. Ceccarelli: "Yes, Mr. Julin, we will even accept a Swedish bank."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 423, and the bill passed the House by the following vote: Yeas, 91; nays, 4; not voting, 3.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nays: Representatives Hurley, Lysen, Shinpoch, Van Dyk.

Not voting: Representatives Hayner, Savage, Smith.

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.

The Speaker declared the House to be at ease.

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

#### PRESENTATION OF GIFTS

The Speaker (Mr. Conner presiding): "It is a real pleasure, on behalf of all the House members, and the people of the state of Washington, to have this brief presentation of awards to the leaders of the House of

Representatives.

The Speaker (Mr. Conner presiding) requested that Representatives Moon, Ceccarelli, Van Dyk and Zimmerman escort the members of the gift committee, Representatives McCormick, Valle and Paris to the rostrum.

The Speaker (Mr. Conner presiding): "It is a real pleasure to have Representative McCormick, Representative Valle and Representative Paris on the gift committee. This committee has done a lot of work on behalf of each of us to show our feelings to the leaders of the House."

The Speaker (Mr. Conner presiding) requested that Representatives Perry, Charette, Newhouse and Morrison escort Speaker Leonard A. Sawyer and his wife, Beverly, to the bar of the House.

Representatives Perry and Newhouse presented a gift on behalf of the members of the House to the Speaker and Mrs. Sawyer.

Representatives Perry, Charette, Newhouse and Morrison escorted the Speaker and Mrs. Sawyer to the rear of the House Chamber.

The Speaker (Mr. Conner presiding) requested that Representatives Johnson and Leckenby escort Speaker Pro Tem John L. O'Brien to the bar of the House.

Representative McCormick presented a gift on behalf of the members of the House to Speaker Pro Tem O'Brien.

Representatives Johnson and Leckenby escorted Speaker Pro Tem O'Brien to the rear of the House Chamber.

The Speaker (Mr. Conner presiding) requested that Representatives Juelling, Kopet, Pardini and Julin escort Minority Leader Thomas A. Swayze and his wife, Marliss, to the bar of the House.

Representative Juelling presented a gift on behalf of the members of the House to Minority Leader Swayze and Mrs. Swayze.

Representatives Juelling, Kopet, Pardini and Julin escorted Minority Leader Swayze and Mrs. Swayze to the rear of the House Chamber.

The Speaker (Mr. Conner presiding) requested that Representatives Thompson, Hurley, Eng and Adams escort Majority Leader Robert L. Charette and his wife, Betty, to the bar of the House.

Representative Thompson presented a gift on behalf of the members of the House to Majority Leader Charette and Mrs. Charette.

Representatives Thompson, Hurley, Eng and Adams escorted Majority Leader Charette and Mrs. Charette to the

rear of the House Chamber.

The Speaker (Mr. Conner presiding) requested that Representatives Berentson, Flanagan, Benitz and Garrett escort Minority Caucus Chairman Irving Newhouse and his wife, Ruth, to the bar of the House.

Representative Berentson presented a gift on behalf of the members of the House to Minority Caucus Chairman Newhouse and Mrs. Newhouse.

Representatives Berentson, Flanagan, Benitz and Garrett escorted Minority Caucus Chairman Newhouse and Mrs. Newhouse to the rear of the House Chamber.

The Speaker (Mr. Conner presiding) requested that Representatives Ceccarelli and Maxie escort Majority Caucus Chairman William Chatalas to the bar of the House.

Representative Valle presented a gift on behalf of the members of the House to Majority Caucus Chairman Chatalas.

Representatives Ceccarelli and Maxie escorted Majority Caucus Chairman Chatalas to the rear of the House Chamber.

The Speaker (Mr. Conner presiding) requested that Representatives Curtis and Amen escort Minority Caucus Organization Leader Sid W. Morrison to the bar of the House.

Representative Curtis presented a gift on behalf of the members of the House to Minority Organization Leader Sid W. Morrison.

Representatives Curtis and Amen escorted Minority Organization Leader Morrison to the rear of the House Chamber.

The Speaker (Mr. Conner presiding) requested that Representatives Bluechel and Brown escort Minority Caucus Secretary Lois North to the bar of the House.

Representative Bluechel presented a gift on behalf of the members of the House to Minority Caucus Secretary Lois North.

Representatives Bluechel and Brown escorted Minority Caucus Secretary Lois North to the rear of the House Chamber.

The Speaker (Mr. Conner presiding) requested that Representatives Goltz, Gallagher, Erickson and Fortson escort Majority Caucus Secretary Lorraine Wojahn and her husband, Gilbert, to the bar of the House.

Representative Goltz presented a gift on behalf of the members of the House to Majority Caucus Secretary Lorraine Wojahn and Mr. Wojahn.

Representatives Goltz, Gallagher, Erickson and Fortson escorted Majority Caucus Secretary Wojahn and Mr. Wojahn to the rear of the House Chamber.

The Speaker (Mr. Conner presiding): "I would like to thank the Sergeants at Arms, Ray Olsen, Harry Lapham and Ross Young for their assistance with this program today, and also our Gifts Committee, the Honorable Gerry McCormick, the Honorable Georgette Valle, the Honorable Jeannette Hayner, and the Honorable William Paris. I would like to leave you with a thought that I think is in the hearts of all of us. It is a little verse that says:

"It's not the things that can be bought  
That are life's richest treasure.  
It's just the little heart gifts,  
That money cannot measure.  
A cheerful word, a friendly smile,  
A sympathetic nod,  
Are priceless little treasures,  
In the storehouse of our God.  
They are the things that can't be bought  
With silver or with gold,  
For thoughtfulness and kindness  
And love are never sold."

The Speaker (Mr. Conner presiding) declared the House to be at ease.

The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

March 28, 1973

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 46,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE CONCURRENT RESOLUTION NO. 46.

#### THIRD READING

HOUSE BILL NO. 648, by Representatives Thompson, Kelley and May:

Implementing the law of industrial insurance.

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

Representatives Savage, May, Thompson and Bausch spoke in favor of passage of the bill, and Representative Morrison spoke against it.



## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 648, and the bill passed the House by the following vote: Yeas, 65; nays, 30; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Juelling, Julin, Kopet, Kraabel, Matthews, Morrison, Nelson, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly.

Not voting: Representatives Hayner, Kuehnle, Newhouse.

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.

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.

## MOTION

Mr. Thompson moved that Engrossed Substitute Senate Joint Resolution No. 105 be rereferred to the Committee on Constitution and Elections.

## POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Swayze.

Mr. Swayze: "Representative Thompson, I would like a little indication as to the reason for returning this particular measure to committee at this time. The issues are well known. Of course, it is also well known that it probably does not have sufficient votes to get two-thirds for passage on the floor of the House at this time. I am just wondering whether it is being returned to committee as

a part of an effort to change it or amend it in any way so that it might secure the necessary votes for passage. Or is your motion just to send it back there to bury and kill it?"

Mr. Thompson: "Representative Swayze, the direct answer to your question is 'yes.' But to elaborate, the adoption of this motion will provide us with the means of handling, at the committee level, some of the suggestions that were made on the floor by members of your caucus. It will receive ample consideration there, and I am sure we will see it here again shortly."

Mr. Pardini spoke in favor of the motion by Mr. Thompson.

The motion was carried.

#### MOTIONS

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

Mr. Charette moved that the Committee on State Government be relieved of ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125 and that it be placed on the second reading calendar.

Mr. Charette spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Swayze.

Mr. Swayze: "Is it your intention to handle this matter immediately?"

Mr. Charette: "On second reading, yes."

Mr. Swayze spoke against the motion.

Mr. Charette spoke again in favor of the motion, and Mr. Pardini spoke against it.

The motion by Mr. Charette was carried.

#### SECOND READING

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, by Senators Greive, Ridder, Dore, Stortini, Connor and Van Hollebeke:

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

The resolution was read the second time.

Mr. Charette moved adoption of the following amendment:

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 no more than eight members, four from each political party. 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:))

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, sub-committees 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 sub-committee.

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."

Mr. Charette demanded a Call of the House and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Hayner.

On motion of Mr. Charette, the absent member was excused and the House proceeded with business under the Call of the House.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

The Speaker stated the question before the House to be the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125.

The Clerk read the following amendment by Mr. Barden to the amendment:

On page 4, section 31, line 24 after "than" strike "Sunday, the twenty-third day of September," and insert "the eighth day of April,"

## PARLIAMENTARY INQUIRY

Mr. Julin: "Mr. Speaker, I have just placed on the desk an amendment that is on page two, and I think it should be considered before this."

The Speaker: "Representative Julin, we are going to try to handle these in order, but we haven't completely restricted it."

Mr. Julin: "My amendment then will be considered?"

The Speaker: "Yes."

Mr. Barden moved adoption of the amendment to the amendment.

Mr. Barden spoke in favor of the amendment to the amendment, and Mr. Charette spoke against it.

## POINT OF ORDER

Mr. Barden: "I think my motives have been impugned."

The Speaker: "Representative Charette, I think you are well aware of the rules. Would you keep your remarks within the confines thereof?"

Mr. Charette continued his remarks.

## POINT OF ORDER

Mr. Pardini: "The Barden amendment deals with putting a cut-off in April. Representative Charette is talking about September."

The Speaker: "I think if I read this right, he is also striking the language with regard to June and September, so I imagine that would open up the subject matter, Representative Pardini. You may continue, Mr. Charette."

Mr. Charette concluded his remarks.

Mr. Swayze spoke in favor of the amendment by Mr. Barden to the amendment by Mr. Charette.

The Speaker: "Now that both sides have broken every rule that I know of, I wish to remind you that you each have had your shots. Now would you please stay within the confines of the arguments and the issues before us, because the Speaker will not allow it any more."

Mr. Curtis spoke in favor of the amendment to the amendment.

## POINT OF ORDER

Mr. Charette: "My point of order is that Mr. Curtis is violating the rules. I am neither ignorant nor a con man. I think he knows that, and I don't think it is proper for him to make that statement."

The Speaker: "I hope the members will restrain themselves and speak within the confines of the rules."

Mr. Beck demanded the previous question.

## RULING BY THE SPEAKER

The Speaker: "Mr. Beck, your motion is out of order at this time. Continue, Mr. Curtis."

Mr. Curtis concluded his remarks in favor of the amendment by Mr. Barden to the amendment by Mr. Charette, and Mr. O'Brien spoke against it.

## POINT OF ORDER

Mr. Swayze: "Representative O'Brien is speaking to later sections in this particular floor amendment by Representative Charette. We have plenty of amendments to those, too, but we are not there yet."

The Speaker: "I'm sorry, Mr. O'Brien. I didn't follow your last remarks that closely, but if you will please confine your remarks as closely as possible to the amendment before us. I realize that this amendment, being so broad in its scope, and affecting practically the whole concept of the bill, probably opens up a great deal; however, we are talking now about the time limitations."

Mr. O'Brien concluded his remarks.

Mr. Chatalas spoke against adoption of the amendment by Mr. Barden to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125.

The Speaker: "I think, Representative Chatalas, we should confine our remarks to the amendment. The amendment is with regard to signe die adjournment on April 8. Please confine your remarks to that as closely as possible. Representative Barden, for what purpose do you rise?"

Mr. Barden: "To point out the obvious inaccuracy of Representative Chatalas' remarks."

The Speaker: "Representative Barden, you will have to be recognized after Mr. Chatalas has finished his remarks."

Mr. Chatalas continued his remarks.

The Speaker: "Representative Chatalas, I would like to direct your attention to the amendment. It would strike the language after line 27."

Mr. Chatalas continued speaking.

#### POINT OF ORDER

Mr. Pardini: "Representative Chatalas continues to override the rule of the Chair and he should get back to the subject. I think the Chair should gavel him down."

The Speaker: "Well, my problem, Representative Pardini is that Representative Barden did open originally a broader scope than the amendment. I wish, Representative Chatalas, that we would narrow our discussion. I think that we have gone far enough afield--if we would narrow our discussion back to the subject matter before us and forget these committee junkets, etc., and get down to the matter before us."

Mr. Chatalas continued speaking.

The Speaker: "Representative Chatalas, please, we are delaying the process of the House."

The Speaker recognized Mr. Hansey.

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

#### PARLIAMENTARY INQUIRY

Mr. Barden: "Mr. Speaker, do you think it would be appropriate for a legislator, when committee meetings are being held in his district, and if he is not a member of those committees, but he comes and attends the meetings without pay, (not serving as a member of the committee but as a member of the audience) would that in any way affect



the outcome or the validity of the amendment?"

The Speaker: "I would hope not, Representative Barden."

#### POINT OF INQUIRY

Mr. Chatalas: "Mr. Barden just mentioned those meetings in his own district, but how about Centralia?"

#### RULING BY THE SPEAKER

The Speaker: "The Speaker wishes to have a full and free debate on this matter, but I think that every member is starting to abuse this privilege. The Speaker will now refuse to recognize, or will cut off any further debate so violently and obviously beyond the scope of the amendment. I regret taking this position, but I think that is my duty as parliamentary officer, to make this matter move, and I will do so if I have to. So you may proceed with your remarks, Mr. Barden. If you have a point of personal privilege, you may raise that at this time. If not, please go back and speak on the amendment."

Mr. Barden spoke in favor of his amendment to the amendment by Mr. Charette.

The Speaker: "Mr. Barden, please confine your remarks to the time schedule. We have allowed you to go fairly far afield. You are talking about the entire document now."

Mr. Barden concluded his remarks.

Representatives Morrison and Pardini spoke in favor of the amendment to the amendment, and Mr. Perry spoke against it.

Mr. Swayze spoke again in favor of the amendment by Mr. Barden to the amendment by Mr. Charette, and Mr. Perry spoke again in opposition to it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Barden to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125, and the amendment to the amendment was lost by the following vote: Yeas, 39; nays, 58; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher,

Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Hayner.

Mr. Swayze moved adoption of the following amendment to the amendment by Mr. Charette:

On page 2, line 13 insert the following:

"No elective official nor any legislative employee may use or authorize the use of any of the facilities of his public office, directly or indirectly, for the purpose of assisting his campaign for reelection to the office he holds, or for election for any other office, or for election of any other person to any office. Facilities of public office include, but are not limited to, use of stationery, postage, machines and equipment, use of employees of the office, vehicles, office space, publications of the office, and clientele lists of persons served by the office."

Mr. Swayze spoke in favor of the amendment to the amendment, and Mr. Charette spoke against it.

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

Mr. Swayze spoke again in favor of his amendment to the amendment.

#### RULING BY THE SPEAKER

The Speaker: "Mr. Swayze, if you will speak to your amendment--we are talking about whether or not these people shall be allowed to participate in political campaigns--not their qualifications or how they are selected."

Mr. Swayze continued his remarks.

The Speaker: "Mr. Swayze, may I remind you the Speaker has just asked you to speak to the amendment, and I am insisting on it. We are going to talk about whether these people should be engaged in political activity. That is the amendment and that is what debate will be addressed to."

Mr. Swayze: "What else was I talking about?"

The Speaker: "You were talking about the employment and the professional status of these people, and your amendment does not pertain to that in any degree."

Mr. Swayze: "It most certainly does."

The Speaker: "The Speaker is of the opinion that it doesn't."

Mr. Swayze concluded his remarks.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Swayze to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125, and the amendment to the amendment was lost by the following vote: Yeas, 40; nays 57; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hendricks, Hoggins, Jueling, Julin, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoeh, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Hayner.

Mr. Julin moved adoption of the following amendment to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125:

On page 2, line 12 of Representative Charette's amendment to Engrossed Senate Concurrent Resolution No. 125 after "legislature." insert 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."

Representatives Julin, Curtis and Swayze spoke in favor of the amendment to the amendment, and Representative Charette spoke against it.

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

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Julin to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125, and the amendment to the amendment was lost by the following vote: Yeas, 43; nays, 54; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Eng, Flanagan, Freeman, Garrett, Gilleland, Goltz, Hansey, Hendricks, Hoggins, Jueling, Julin, Kopet, Kraabel, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze,

Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Hayner.

The Speaker called on Mr. O'Brien to preside.

Mr. Kopet moved adoption of the following amendment by Representatives Kopet, Curtis and Morrison:

On page 3, rule 19, line 20 of the amendment by Mr. Charette, after "than" and before "members" strike "eight" and insert "sixteen"

Mr. Kopet spoke in favor of the amendment to the amendment, and Mr. Thompson spoke against it.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Kopet.

Mr. Kopet: "I see that this budget information committee is to conduct performance audits. My feeling was that this is the power vested in the legislative budget committee at the present time. How do you feel that this new committee will approach that problem?"

Mr. Thompson: "In that respect, in the same way. The staff, of course, are the individuals that will conduct the audit. They will report to their administrators, and that information will be made available to all legislators, and chiefly the members of the Ways and Means Committee."

Mr. Julin spoke in favor of the amendment to the amendment, and Mr. Charette spoke against it.

Mr. Julin spoke again in favor of the amendment to the amendment, and Mr. Charette spoke again in opposition to it.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "I didn't intend to get in the middle of this argument, but I am still confused. Is it the intent, Representative Charette, that the other four members who are not enumerated here should be legislators? That provision is not clear. They could be employees or almost anyone else, just so they fit the qualifications of two of them being Democrats and two being Republicans."

Mr. Charette: "Yes, it says eight members, and I don't see that we will have any different problem than we have had before. We appoint our committees. We do have some difference of opinion, and at the beginning of the regular session I think almost all of it worked out. We changed numbers on the committees. As a majority we certainly didn't say that they are going to be all Democrats on one committee. We proportionately set the numbers of the committees. To me, Representative Kuehnle, this, quite frankly, is a concession we made, and this comes from some questions that were asked by both Republicans and Democrats in the Senate."

Mr. Kuehnle: "The wording says, 'The members shall include...' but this means members of the committee, and by its own construction would not necessarily confine it to members of the legislature. It seems that perhaps clarification might be necessary. In the event that we don't amend it to clarify it, perhaps this will suffice. But your intent is that the other four members should be members of the legislature? And could you point out, Mr. Charette, how you would envision the selection of the other four members would be made?"

Mr. Charette: "I can state unequivocally that they will be members of the legislature."

Mr. Curtis spoke in favor of the amendment to the amendment.

The amendment by Mr. Kopet to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125 was not adopted.

The Clerk read the following amendment by Representatives Kopet, Curtis and Morrison to the amendment by Mr. Charette:

On page 3, rule 19, line 21 of the amendment after "party" and before the period insert "of each house"

Mr. Kopet stated that, with the consent of the House, he would withdraw the amendment.

Mr. Julin objected to the withdrawal of the amendment to the amendment, and moved its adoption.

Mr. Curtis spoke in favor of the amendment to the amendment.

The amendment by Representatives Kopet, Curtis and Morrison to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125 was not adopted.

Mr. Kopet moved adoption of the following amendment by Representatives Kopet, Curtis and Morrison to the amendment by Mr. Charette:

On page 3, rule 19, line 21 of the amendment after "party" and before the period insert ": PROVIDED, That each house shall have equal representation on this committee"

Representatives Kopet and Charette spoke in favor of the amendment to the amendment.

The amendment to the amendment was adopted.

Mr. Swayze moved adoption of the following amendment to the amendment by Mr. Charette:

On page 4, rule 29, line 16 after "session" strike the remainder of the sentence and insert "((or during any special session))"

Representatives Swayze and Julin spoke in favor of the amendment to the amendment, and Mr. Charette spoke against it.

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

Mr. Pardini spoke in favor of adoption of the amendment to the amendment.

Mr. Ceccarelli demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Swayze to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125, and the amendment to the amendment was adopted by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Kilbury.

Not voting: Representative Hayner.

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

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

#### MOTION

On motion of Mr. Thompson, Mr. Hendricks was excused from further proceedings under the Call of the House.

The Speaker (Mr. Ceccarelli presiding) declared the House to be at ease.

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

MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Thursday, March 29, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## TWENTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 29, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles A. Loyer of the Westminster United Presbyterian Church of Olympia.

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

## MESSAGE FROM THE GOVERNOR

March 28, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on March 28, 1973, Governor Evans approved the following House Bill entitled: HOUSE BILL NO. 304: Changing law respecting school district's contribution for insurance and protection of board members, employees, etc.

Sincerely,  
JOHN H. BRIGHT,  
Legislative Counsel.

## MESSAGES FROM THE SENATE

March 28, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2104,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2105,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2226,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2250,  
SUBSTITUTE SENATE BILL NO. 2328,  
SENATE BILL NO. 2337,  
SENATE BILL NO. 2674,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.



March 28, 1973

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 46,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1098, by Representatives North (Lois),  
Charnley and Wilson:AN ACT Relating to public health; and adding new sections  
to chapter 28A.31 RCW.

To Committee on Social and Health Services.

HOUSE BILL NO. 1099, by Representative Perry:AN ACT Relating to public employment; amending section 15,  
chapter 1, Laws of 1961 as last amended by section  
1, chapter 154, Laws of 1973 and RCW 41.06.150;  
amending section 10, chapter 36, Laws of 1969 ex.  
sess. as last amended by section 2, chapter 154,  
Laws of 1973 and RCW 28B.16.100; declaring an  
emergency; and making an effective date.

To Committee on Labor.

HOUSE BILL NO. 1100, by Representatives Bagnariol, Morrison  
and Lysen:AN ACT Relating to revenue and taxation; amending section  
3, chapter 232, Laws of 1957 as last amended by  
section 2, chapter 168, Laws of 1969 ex. sess. and  
RCW 70.94.030; amending section 1, chapter 139,  
Laws of 1967 ex. sess. and RCW 82.34.010; amending  
section 3, chapter 139, Laws of 1967 ex. sess. and  
RCW 82.34.030; and amending section 10, chapter 139,  
Laws of 1967 ex. sess. and RCW 82.34.100.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1101, by Representatives Charnley, Rabel,  
Douthwaite, Kraabel, Williams and Pardini:AN ACT Relating to the museum of the University of  
Washington; and adding a new section to chapter 30,  
Laws of 1899 and to chapter 27.40 RCW.

To Committee on State Government.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2104, by Committee on  
Ways and Means (Originally sponsored by Senators  
Odegaard and Atwood - by Executive request):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.

To Committee on Ways and Means - Appropriations.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2105, by Committee on Ways and Means (Originally sponsored by Senators Atwood and Odegaard - by Executive request):

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

To Committee on Ways and Means - Appropriations.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2226, by Committee on Judiciary (Originally sponsored by Senators Fleming, Francis, Murray, Ridder, Bottiger, Grant, Wanamaker and Henry - by Executive request):

AN ACT Relating to the lease and rental of property; creating a new chapter in Title 59 RCW; and creating new sections.

To Committee on Judiciary.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2250, by Committee on Transportation and Utilities (Originally sponsored by Senators Henry and Woodall):

AN ACT Relating to motor vehicles; amending section 15, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.115; 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.

To Committee on Transportation and Utilities.

SUBSTITUTE SENATE BILL NO. 2328, by Committee on Transportation and Utilities (Originally sponsored 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.

To Committee on Transportation and Utilities.

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.

To Committee on Transportation and Utilities.

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.

To Committee on Financial Institutions.

#### MOTION

Mr. Thompson moved that the bills printed on today's agenda be considered first reading under the fourth order of business and referred to the committees so designated with the exception of HOUSE BILL NO. 1099, to be referred to the Committee on State Government rather than the Committee on Labor.

The motion was carried.

#### REPORTS OF STANDING COMMITTEES

March 28, 1973

HOUSE BILL NO. 182, Prime Sponsor: Representative Barden, limiting the use of reinforcing shear connectors, reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, Cunningham, May.

March 28, 1973

HOUSE BILL NO. 264, Prime Sponsor: Representative Smythe, implementing the law relating to liens, including mechanics' and materialmens' liens, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice

Chairman; Eikenberry, Gaspard, Newhouse, Shinpoch, Smith, Sommers, Swayze.

March 28, 1973

HOUSE BILL NO. 323, Prime Sponsor: Representative Fortson, providing mandatory sentencing for certain violations involving controlled substances, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Newhouse, Shinpoch, Sommers.

March 27, 1973

HOUSE BILL NO. 955, Prime Sponsor: Representative Kelley, implementing laws relating to financial support of committed juveniles, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On Page 2, section 2, line 20 after "chapter" strike "74.20" and insert "74.20A"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Fortson, Freeman, Hendricks, Matthews, Rabel, Wojahn, Zimmerman.

March 28, 1973

HOUSE BILL NO. 1088, Prime Sponsor: Representative Bauer, providing for reciprocal agreements with bordering states relating to the employment of workmen on public projects, reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 13 after "employed" strike all of the material down to 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, beginning on line 11 after "improvement" strike all the material down to and including "state" on line 16

Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, Freeman, Kopet, Matthews, May, Morrison.

March 28, 1973

ENGROSSED SENATE BILL NO. 2098, Prime Sponsor: Senator Bottiger, permitting county treasurers to invest in certain securities, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives, Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Blair, Laughlin, Nelson, North (Frances), North (Lois), Paris; Patterson, Smythe, Zimmerman.

March 28, 1973

ENGROSSED SENATE BILL NO. 2312, Prime Sponsor: Senator Bailey, establishing maximum rates to be paid for public printing and legal notices, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Amen, Blair, Laughlin, Nelson, North (Frances), North (Lois), Paris, Patterson, Smythe.

March 28, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2336, Prime Sponsor of original bill: Senator Francis, providing procedures for civil commitment, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass 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: PROVIDED FURTHER,"

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 a 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."

Signed by Representatives Kelley, Vice Chairman; Eikenberry, Gaspard, Maxie, Newhouse, Smith, Sommers, Swayze.

March 28, 1973

SENATE BILL NO. 2452, Prime Sponsor: Senator Bottinger, authorizing cities to acquire certain unfit dwelling units, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Adams, Amen, Blair, Kuehnle, Laughlin, Nelson, North (Frances), Paris, Patterson, Zimmerman.

March 24, 1973

ENGROSSED SENATE BILL NO. 2504, Prime Sponsor: Senator Sandison, establishing a board of geographic names, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Cunningham, Ehlers, Gaines, Hendricks, Kopet, Lysen, Moon, Perry, Polk.

March 28, 1973

ENGROSSED SENATE JOINT MEMORIAL NO. 125, Prime Sponsor: Senator Washington, memorializing the President and Congress in favor of legislation expressing the intent of Senate Bill No. 836, reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Luders, Chairman; Smith, Vice Chairman; Beck, Bluechel, Charnley, Douthwaite, Goltz, Kraabel, McCormick, North (Lois), Pullen, Valle, Wilson, Zimmerman.

#### MOTION

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to the Committee on Rules for second reading.

The motion was carried.

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

The Speaker called the House to order.

#### SECOND READING

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, by Senators Greive, Ridder, Dore, Stortini, Conner and Van Hollebeke:

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

The House resumed consideration of Engrossed Senate Concurrent Resolution No. 125 on second reading. (For previous action, see Journal for twentieth day, ex. sess., March 28, 1973.)

The Speaker stated the question before the House to be the amendment by Mr. Charette.

Mr. Hansey moved adoption of the following amendment to the amendment by Mr. Charette:

On page 3, rule 19, line 20 after "of" and before "eight" strike "no more than"

Mr. Hansey spoke in favor of the amendment to the amendment.

Mr. Charette demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Barden.

On motion of Mr. Charette, the absent member was excused and the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be the amendment by Mr. Hansey to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125.

The amendment to the amendment was adopted.

Mr. Curtis moved adoption of the following amendment to the amendment:

On page 3, rule 19, line 24 after "representatives" insert "or their designee,"

Representatives Curtis and Pardini spoke in favor of the amendment to the amendment, and Representative Thompson spoke against it.

Mr. Barden appeared at the bar of the House.

Mr. Curtis spoke again in favor of the amendment to the amendment.

The amendment by Mr. Curtis to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125 was not adopted.

Mr. Kopet moved adoption of the following amendment to the amendment:

On page 3, line 21 after "party" insert "as designated by the respective caucuses of each house"

Representatives Kopet and Swayze spoke in favor of the amendment to the amendment, and Representative Thompson spoke against it.

The amendment by Mr. Kopet to the amendment by Mr. Charette was not adopted.

#### PARLIAMENTARY INQUIRY

Mr. Thompson: "Mr. Speaker, would you consider considering the next three amendments as one? They all deal with removing Sunday from the committee meeting schedule."



The Speaker: "Mr. Tilly, do you have any objection to considering your three amendments as one?"

Mr. Tilly: "Mr. Speaker, they are similar, but there are some differences, especially the middle one regarding the ten-day sessions. My idea would be not to have that, and I would like a little discussion on that point."

The Speaker: "Then you would like to have your amendments considered separately?"

Mr. Tilley: "Yes, I would."

Mr. Tilly moved adoption of the following amendment to the amendment by Mr. Charette:

On page 4, rule 31, line 24 after "than" strike "Sunday, the twenty-third" and insert "Saturday, the twenty-second"

Representatives Tilly and Paris spoke in favor of the amendment to the amendment, and Representative Thompson spoke against it.

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

Representatives Pardini, Amen and Curtis spoke in favor of the amendment by Mr. Tilly to the amendment, and Representatives Perry and Clemente spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Tilly to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125, and the amendment to the amendment was lost by the following vote: Yeas, 44; nays, 54; not voting, 0.

Voting yea: Representatives Amen, Barden, Beck, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Eng, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Maxie, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Mr. Tilly moved adoption of the following amendment to the amendment by Mr. Charette:

On page 4, rule 31, line 28 after "on" strike everything down to and through line 32 and insert "Thursday, the 24th day of May, shall be temporarily adjourned on Saturday, the 26th day of May, and shall be reconvened on Thursday, the 14th day of June, and shall be temporarily adjourned on Saturday, the 16th day of June, and shall be reconvened on the 19th day of September until sine die no later than Saturday, the 22nd day of September, 1973"

Mr. Tilly spoke in favor of the amendment to the amendment, and Mr. Thompson spoke against it.

The amendment to the amendment was lost.

Mr. Tilly moved adoption of the following amendment to the amendment by Mr. Charette:

On page 5, rule 36, line 10 after "consecutive" strike "Friday, Saturday, and Sunday" and insert "Thursday, Friday and Saturday"

Mr. Tilly spoke in favor of the amendment to the amendment.

The amendment by Mr. Tilly to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125 was lost on a rising vote.

#### PERSONAL PRIVILEGE

Mr. Garrett: "I would like to point out to this group, and to the press hopefully, that now that the Republicans and God have lost 41 to 57, I submit to you that in the end, with God on our side, we will prevail."

Mr. Amen moved adoption of the following amendment to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125:

On page 4, rule 29, line 11 after "~~houses-)~~" insert "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."

Representatives Amen, Thompson and Swayze spoke in favor of the amendment to the amendment.

The amendment by Mr. Amen to the amendment by Mr. Charette was adopted.

Mr. Swayze moved adoption of the following amendment to the amendment by Mr. Charette:

On page 5, rule 36, line 11 after "that" and before "the" insert "three-fourths of"

Mr. Swayze spoke in favor of the amendment to the amendment.

#### PARLIAMENTARY INQUIRY

Mr. Curtis: "I have an amendment on the desk preceding this in terms of its sequence in the amendment. I wonder if we are still operating under the ruling last night that amendments would be considered out of order, or whether we should more properly consider them in order?"

The Speaker: "In answer to your inquiry, Representative Curtis, and also to the rest of the members: We are attempting to take the amendments in order but it has been a little difficult to place them all in order as they have been coming in. We won't rule them out of order because they haven't been considered in order, so we will handle yours next, Representative Curtis."

#### MOTION

On motion of Mr. Thompson, the following amendment by Mr. Swayze was considered along with the first amendment by Mr. Swayze to the amendment by Mr. Charette:  
On page 5, rule 36, line 14 after "approval of" and before "the rules" insert "three-fourths of"

Mr. Thompson spoke against the adoption of the amendments to the amendment, and Mr. Pardini spoke in favor of their adoption.

#### POINT OF ORDER

Mr. Thompson: "Representative Pardini is confusing the Budget Information Committee with the Rules Committee of the Senate and the House in his remarks on these amendments."

The Speaker: "Would you confine your remarks to the approval of three-fourths of the Rules Committee."

Mr. Pardini concluded his remarks in favor of the amendments.

Mr. Julin spoke in favor of the amendments by Mr. Swayze to the amendment by Mr. Charette, and Mr. O'Brien spoke against the amendments.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendments by Mr. Swayze to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125, and the amendments to the amendment were lost by the following vote: Yeas, 41; nays, 57; not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis,

Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shimpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Mr. Swayze moved adoption of the following amendment to the amendment by Mr. Charette:

On page 5, rule 36, line 19 add a new subsection as follows:

"(3) Each standing committee may employ one clerk or secretary. All other committee staff, research assistants or counsel, shall be nonpartisan, professional employees of the legislature, to be selected by an employment committee of each house composed of 3 members of each caucus of such house. The staff of the joint legislative budget information committee shall be the staff for the Ways and Means - Appropriations subcommittees of each house."

Mr. Swayze spoke in favor of the amendment to the amendment, and Mr. Thompson spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Swayze to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125, and the amendment to the amendment was lost by the following vote: Yeas, 42; nays, 56; not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shimpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Mr. Curtis moved adoption of the following amendment to the amendment by Mr. Charette:

On page 5, rule 31, line 3 following "1974," insert "Notwithstanding any provision to the contrary, if any session shall exceed the length of time so designated herein, members shall serve the additional time without per diem."

Mr. Curtis spoke in favor of the amendment to the amendment, and Mr. Thompson spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Curtis to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125, and the amendment to the amendment was lost by the following vote: Yeas, 42; nays, 56; not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Mr. Hoggins moved adoption of the following amendment to the amendment by Mr. Charette:

On page 5, rule 36, line 11 of the House amendment to Engrossed Senate Concurrent Resolution No. 125 after "Olympia:" and before "PROVIDED" insert "PROVIDED, That standing committees of both houses shall not meet on the last consecutive Friday, Saturday and Sunday of May but shall meet on the thirty-first of May, first of June, and the second of June during 1973:"

Mr. Hoggins spoke in favor of the amendment to the amendment.

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

Mr. Thompson spoke against adoption of the amendment to the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Hoggins to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125, and the amendment to the amendment was lost by the following vote: Yeas, 39; nays, 50; not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Mr. Swayze moved adoption of the following amendment to the amendment by Mr. Charette:

On page 5, rule 37, line 26 after "legislature" strike the period and insert "in Olympia or elsewhere for a committee hearing authorized as provided in these rules."

Mr. Swayze spoke in favor of the amendment to the amendment, and Mr. Thompson spoke against it.

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

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Swayze to the amendment by Mr. Charette to Engrossed Senate Concurrent Resolution No. 125, and the amendment to the amendment was lost by the following vote: Yeas, 41; nays, 57; not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith,

Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

The Speaker stated the question before the House to be the amendment by Mr. Charette as amended.

Mr. Charette spoke in favor of the amended amendment.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Charette, as amended, to Engrossed Senate Concurrent Resolution No. 125, and the amendment was adopted by the following vote: Yeas, 57; nays, 41; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Concurrent Resolution No. 125 as amended by the House be placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Concurrent Resolution No. 125 as amended by the House to third reading and final passage, and the motion was lost by the following vote: Yeas, 57; nays, 41; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith,

Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Jueling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

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

#### RESOLUTIONS

HOUSE RESOLUTION NO. 73-63, by Representatives Randall, Smith, Beck and Swayze:

WHEREAS, The East High School Knights of Bremerton have distinguished themselves by winning the Class AA State Basketball Championship; and

WHEREAS, These young men achieved this distinction through an inspiring example of dedication, self-discipline, hard work and team spirit; and

WHEREAS, They have, through their achievement, brought credit to their school, their community and themselves; and

WHEREAS, They serve as a reminder to us that the majority of our youth are embarked upon healthy fields of interest which merit our pride and support;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the East High School Knights and their coach, Mr. Les Eathorne, be commended for their athletic achievements in winning the State Class AA Basketball Championship.

BE IT FURTHER RESOLVED, That a suitably inscribed copy of this Resolution be prepared and forwarded to the Principal of East High School by the Chief Clerk of the House of Representatives.

On Motion of Mr. Randall, the resolution was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker observed in the gallery the East High School basketball team and their coach, and asked them to stand and be recognized.

#### MOTIONS

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

On motion of Mr. Swayze, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House recessed until 2:30 p.m.



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AFTERNOON SESSION  
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The House was called to order at 2:30 p.m. by the Speaker (Mr. Thompson presiding). The Clerk called the roll and all members were present except Representative Wilson who was excused.

The Speaker resumed the Chair.

## MOTION

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

## SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House former State Representative Arlie U. DeJarnatt of Cowlitz County and requested that Representatives Thompson and Paris conduct him to a place on the rostrum.

## REPORT OF FREE CONFERENCE COMMITTEE

March 25, 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.

## MOTION

Mr. Bauer moved that the House adopt the report of the Free Conference Committee on Engrossed Senate Bill No. 2071.

Representatives Bauer and Smythe spoke in favor of the motion.

The motion was carried.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY  
THE FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 2071, as amended by the Free Conference Committee.

Mr. Bauer spoke in favor of the bill.

## ROLL CALL

The Clerk 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 House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Morrison, Newhouse.

Not voting: Representatives Parker, Wilson.

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.

## SENATE AMENDMENTS TO HOUSE BILL

March 23, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 782 with the following amendments:

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 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 the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Charette moved that the House concur in the Senate amendments to Engrossed House Bill No. 782.

#### REQUEST FOR DIVISION OF QUESTION

At the request of Representative Curtis, the question was divided.

On motion of Mr. Charette, the House concurred in the Senate amendment to page 2, section 1, line 3.

Mr. Charette moved that the House concur in the Senate amendment to page 4, section 3, line 16.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Charette, I wonder if you could assure me that this amendment would in no way open up this state to trading stamp promotions, which we have not had thus far, and I believe to be contrary to the consumers and business in this state?"

Mr. Charette: "Mr. Charnley, in answer to your question, I had a letter from the Attorney General, stating to me that it would not open up the promotion of trading stamps to allow them to go further than the law now allows them to go. Because I was not satisfied with that letter from the Attorney General, (I thought it was equivocal) I requested a second letter. I have a letter from the Attorney General's office which I intend to insert in the record, stating that this will not change the law as it now exists in the state of Washington concerning trading stamps."

Mr. Charnley: "Thank you very much. I would then have no personal objection to this amendment."

Representatives Curtis and Ceccarelli spoke against concurrence in the Senate amendment, and Representative Charette spoke in favor of it.

Mr. Curtis spoke again in opposition to the amendment.

The motion by Mr. Charette to concur in the Senate amendment to page 4, section 3, line 16 was lost on a rising vote.

The Speaker stated that, the motion by Mr. Charette, having failed, the House refused to concur in the second Senate amendment to Engrossed House Bill No. 782 and asked the Senate to recede therefrom.

MESSAGE FROM THE ATTORNEY GENERAL

Office of the Attorney General  
March 26, 1973

Re: HB 782 (Chain Distributorship)

Dear Representative Charette:

I understand questions have been raised concerning the Senate floor amendment to this bill which amendment concerns trading stamp promotions.

As you know, HB 782 is a simple bill that does not directly change the existing substantive law in the area of chain distributorships, but is a vital element in its enforcement. It removes the present language, prohibiting these inherently unfair and deceptive schemes, from the Franchise Act and enacts the same language as a separate chapter of RCW. This will remove a potentially serious loophole since some chain distributorships apparently can operate without technically being covered within the definition of "franchise," but with the evil remaining. The basic bill also adds a standard definition of the term "investment" for clarification purposes.

There were two floor amendments to this bill in the Senate. The first by Senator Whetzel puts back into the bill some of the language taken out by the House Commerce Committee amendment on page 2, beginning on line 3. By solving a problem the Securities Division foresaw, we went too far and threatened to prohibit relatively legitimate enterprises such as Tupper and Amway. The Senate floor amendment enjoys the rather unusual feature of solving that problem without recreating the original problem that led to the House Committee amendment. For that reason I believe this first Senate amendment is entirely noncontroversial.

The second Senate floor amendment by Senators Mardesich and Whetzel quite narrowly clarifies that trading stamp promotions, as they presently exist within Washington law, are not subject to the Franchise Act. This amendment contains tighter and, I think, preferable language to that of SB 2608 on the same subject, but replaces the need for that bill.

Since both HB 782 and SB 2608 amend the same section of the Franchise Act, there was a need to get them conformed somehow.

Of the 13 states with franchise laws remotely comparable to Washington's, none take the position at this time that trading stamp promotions are covered by such legislation. This has likewise been our position here. The language of this particular Senate floor amendment is taken precisely from the current Wisconsin and California Franchise Acts, two of the strongest states in this area along with Washington.

Slade remains strong in his position that to open up

this state to trading stamp promotions would be contrary to the interest of both consumers and business. It is our feeling, however, that the Franchise Act does not now protect the public interest in this regard, and that that particular battle is best fought in the context of our two existing trading stamp laws themselves. At any rate, trading stamp promotions probably are not "franchises" under our present laws, with or without this particular amendment.

For the above reasons we would urge the members of the House of Representatives to concur with these two rather minor Senate floor amendments so that the important purposes of HB 782 can be fulfilled.

Very truly yours,  
FOR THE ATTORNEY GENERAL  
William H. Clarke,  
Assistant Attorney General.

#### MESSAGE FROM THE SENATE

March 26, 1973

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 2278, and asks the House to recede therefrom, and said bill, together with the House amendment thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On the motion of Mr. Beck, the House refused to recede from its amendment to Engrossed Senate Bill No. 2278 and asked the Senate for a conference thereon.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Beck, Newhouse and Perry as members of the Conference Committee on Engrossed Senate Bill No. 2278.

#### MOTIONS

On motion of Mr. Thompson, HOUSE CONCURRENT RESOLUTION NO. 45 was rereferred from the Committee on Local Government to the Committee on Transportation and Utilities.

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

#### RESOLUTION

HOUSE RESOLUTION NO. 73-61, by Representatives Erickson, Goltz, Maxie, Van Dyk, Rabel, Curtis, Williams and Parker:

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 House of Representatives 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.

On motion of Mrs. Erickson, the resolution was adopted.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 435, by Representatives Bausch, Hendricks, Thompson, Adams, Bender, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kilbury, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North (Frances), Paris, Parker, Savage, Smith, Valle, Van Dyk, Warnke, Wajohn and Williams (by Public Employees' Retirement Board request):

Making certain revisions in the public employees' retirement system.

#### MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 435, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2365, by Committee on Social and Health Services (Originally sponsored by Senators Durkan, Woodall, Ridder, Connor and Knoblauch - by Lt. Governor request):

Regulating emergency medical care and health services.

MOTION

On motion of Mr. Thompson, Engrossed Substitute Senate Bill No. 2365 was rereferred to Committee on Social and Health Services.

HOUSE BILL NO. 306, by Representatives Thompson, Julin, Luders and Zimmerman (by Executive request):

Establishing procedures for environmental coordination.

MOTION

On motion of Mr. Luders, Substitute House Bill No. 306 was substituted for House Bill No. 306, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 306 was read the second time.

On motion of Mr. Chatalas, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 306 was placed on final passage.

Mr. Thompson spoke in favor of the bill.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Julin.

Mr. Julin: "You referred to the fact that the measure now before us is optional. Am I correct in my understanding that the option to take advantage of this consolidated procedure is with the applicant, and it is not with the governmental body or agency involved?"

Mr. Thompson: "Your impression is correct, Representative Julin."

Mr. Zimmerman spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 306, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette,

Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Wilson.

Substitute House Bill No. 306, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED 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.

The bill was read the second time.

Mr. Pardini moved adoption of the following amendment:

On page 5, section 3, lines 15 and 16 strike "two thousand in any six month period" and insert "five thousand in any twelve month period"

Representatives Pardini, Hurley and Kuehnle spoke in favor of adoption of the amendment, and Representatives Wojahn, Chatalas and Eikenberry spoke against it.

Mr. Pardini closed debate, speaking again in favor of the amendment.

The amendment by Mr. Pardini was lost on a rising vote.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2525 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2525, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson,



Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Kopet, Kuehnle.

Not voting: Representatives Patterson, Wilson, Zimmerman.

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.

#### STATEMENT FOR THE JOURNAL

I wish to have it recorded in the Journal that on March 29, 1973, my "Yea" vote was incorrectly recorded as a "Nay" vote on final passage of Engrossed Senate Bill No. 2525 due to machine failure.

In support of the above statement, I would like it noted that three days previously, on March 26, 1973, I voted "yea" on House Bill No. 722 which is the identical House bill. Machine error had been noted on the first final vote on Senate Bill No. 2525 and thus a second electric roll call was required.

JERRY C. KOPET, 6th District.

#### MOTION

On motion of Mr. Charette, the House recessed until 4:20 p.m.

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#### SECOND AFTERNOON SESSION

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The House was called to order at 4:20 p.m. by the Speaker. The Clerk called the roll and all members were present.

#### 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 Tem 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 Tem 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 Tem 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 to be proud of today, in being 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 place 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 photograph 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: "The mission of 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 hang 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 Cherburg, 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 Tem 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 Tem 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.

The House resumed its session.

MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Friday, March 30, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



## TWENTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 30, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend William Treacy of St. Michael's Church of Olympia.

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

## MESSAGE FROM THE SENATE

March 29, 1973

Mr. Speaker:

The Senate has passed:

SENATE JOINT MEMORIAL NO. 126,

SENATE JOINT MEMORIAL NO. 127,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 48, by Representatives Savage, O'Brien, Valle, Laughlin and Gaines:

Honoring Senator Magnuson's work in the field of unemployment insurance.

To Committee on Labor.

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.

On motion of Mr. Thompson, the rules were suspended, Senate Joint Memorial No. 126 was advanced to second reading and read the second time.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Senate Joint Memorial No. 126 was placed on final passage.

Representatives Martinis and Hansey spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 126, and the memorial passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Lysen, Pullen, Wilson.

Senate Joint Memorial No. 126, having received the constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 127, by Senators Woodall, 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 (R.H.), 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 and Woody:

Seeking President Nixon's presence at the National Conference of state legislative leaders.

On motion of Mr. Thompson, the rules were suspended, Senate Joint Memorial No. 127 was advanced to second reading and read the second time.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Senate Joint Memorial No. 127 was placed on final passage.

Mr. Ceccarelli spoke in favor of the memorial.

#### POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Conner.

Mr. Conner: "Representative Ceccarelli, could you tell the body who the chairman is of this National Conference of state legislative leaders?"

Mr. Ceccarelli: "Yes, we are very fortunate in this state in that we have, first of all, the Past President of the National Conference of State Legislative Leaders, and the Chairman of the Conference to be held in Seattle--our own John L. O'Brien."

Mr. Chatalas spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 127, and the memorial passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnie, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barden, Hansey.

Senate Joint Memorial No. 127, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Mr. Thompson, Senate Joint Memorial No. 126 and Senate Joint Memorial No. 127 were ordered transmitted immediately to the Senate.

#### REPORTS OF STANDING COMMITTEES

March 29, 1973

HOUSE BILL NO. 1077, Prime Sponsor: Representative Wojahn, requiring contractual provisions to provide hospitalization for alcoholism, reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 9 after "coverage for" insert "group"

On page 1, section 1, line 11 after "for the" strike

"hospital"

On page 1, line 2 of the title after "for the" strike "hospital"

Signed by Representatives Wojahn, Chairwoman; Adams, Ceccarelli, Curtis, Gallagher, Garrett, Gilleland, Kuehnle, Leckenby, Pardini, Randall, Wilson.

March 29, 1973

HOUSE CONCURRENT RESOLUTION NO. 39, Prime Sponsor: Representative Bauer, providing for a study of bilingual and bicultural educational needs and programs, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender; Brown, Ehlers, Eng, Hayner, Hendricks, Hoggins, Lysen, Polk, Smythe, Tilly, Warnke.

March 29, 1973

ENGROSSED SENATE BILL NO. 2088, Prime Sponsor: Senator Francis, permitting cosmetologists to serve men and women, reported by Committee on Commerce.

MAJORITY recommendation: Do pass 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 16, section 16, line 3 after "than" strike "incident" and after "to" strike "original" and insert "((incident)) incidental to ((original))"

Signed by Representatives Wojahn, Chairwoman; Adams, Ceccarelli, Curtis, Gallagher, Garrett, Gilleland, Leckenby, Pardini, Randall, Wilson.

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

March 29, 1973

ENGROSSED SENATE BILL NO. 2118, Prime Sponsor: Senator Gardner, removing citizenship requirements to teach in common schools of state, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Vice Chairman; Brown, Ehlers, Eng, Hoggins, Johnson, Lysen, Smythe, Tilly, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Fortson, Hayner, Hendricks, Polk, Pullen.

March 29, 1973

SENATE BILL NO. 2139, Prime Sponsor: Senator Bottiger, 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 Representatives Wojahn, Chairwoman; Adams, Ceccarelli, Curtis, Gallagher, Garrett, Gilleland, Kuehnle, Leckenby, Pardini, Wilson.

## MOTION

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to the Committee on Rules for second reading.

The motion was carried.

## 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.

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle and Ceccarelli:

On page 3, section 3, line 26 strike "Any lot, parcel, unit or interest" and insert "If more than fifteen hundred registered voters reside within the development or within two miles of its boundaries, or"

Representatives Kuehnle and Ceccarelli spoke in favor of the adoption of the amendment, and Representatives Williams and Charnley spoke against it.

The amendment by Representatives Kuehnle and Ceccarelli was lost on a rising vote.

The Clerk read the following amendment by Representatives Garrett and Ceccarelli to Senate Bill No. 2268:

On page 4, section 4, line 15 after "of" strike "twenty-five" and insert "fifty"

## PARLIAMENTARY INQUIRY

Mr. Garrett: "I was under the impression that the second amendment by Representatives Kuehnle and Ceccarelli came before mine."

The Speaker (Mr. O'Brien presiding): "Mr. Kuehnle's amendment strikes the material that your amendment proposes to amend, so rather than presenting Mr. Kuehnle's amendment first, we are going to present yours."

Mr. Garrett moved adoption of the amendment.

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Garrett.

Mr. Garrett: "Mr. Charnley, you and I have had some conversations with Tim Burke of the Legislative Council. In discussing my amendment, we also discussed the federal act. In the federal act, I believe that there is a provision in the administrative procedure to exempt any development of under 300 lots. I would like to ask you the question: What does that do, if anything, to this act?"

Mr. Charnley: "It is my understanding, Mr. Garrett, that what that does is exclude from the federal statute (and I should add for the membership's information, that this administrative procedure excludes developments of lots where the sales are substantively confined within one state with no advertising outside the state) so this, in a sense, then excludes any development up to 300 lots, the sales of which are confined within one state."

Mr. Garrett: "Yes, but it does not have any direct effect on this state act?"

Mr. Charnley: "No, the state act would fill, I feel, the void from 300 down to, as presently written, 25 lots. Any development between 25 and 300, then, would be covered."

Representatives Garrett, Ceccarelli and Kuehnle spoke in favor of adoption of the amendment, and Representatives Charnley, Moon and Douthwaite spoke against it.

The amendment by Representatives Garrett and Ceccarelli was lost on a rising vote.

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle and Ceccarelli to Senate Bill No. 2268:

On page 4, section 4, line 15 after "director" strike the remainder of the section and insert "shall waive the provisions of this act for any development where he determines in respect of such development that (1) the plan of promotion and disposition of the lots, parcels, units or interests within the development is directed primarily to persons residing in the local community in which the development is situated; and (2) the local government having jurisdiction over the development insofar as planning, zoning and subdivision requirements are concerned, has adopted and adequately enforces ordinances containing land use restrictions which are adequate to protect purchasers of any lot, parcel, unit or interest in the development. The director shall adopt rules and regulations specifying in detail what is required to be contained in local ordinances before such ordinances shall be considered adequate to protect purchasers under this section."

Representatives Kuehnle and Leckenby spoke in favor of adoption of the amendment, and Mr. Thompson spoke against it.

The amendment by Representatives Kuehnle and Ceccarelli was lost on a rising vote.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2268 was placed on final passage.

Mr. Charnley spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2268, and the bill passed the House by the following vote: Yeas, 95; nays, 3; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Garrett, Kuehnle, Schumaker.

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.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

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.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments see Journal for forty-first day, February 17, 1973.)

The bill was read the second time.

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

House Bill No. 305 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 305 was placed on final passage.

Mr. Pardini spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 305, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Wanke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Mr. Speaker.

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

#### MOTION

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

#### RESOLUTION

HOUSE RESOLUTION NO. 73-64, by Representatives Douthwaite, Rabel, Kraabel, Blair and Maxie:

WHEREAS, The Roosevelt High School (Roughriders) Basketball Team won the statewide Class AAA Championship in Seattle on March 24, 1973; and

WHEREAS, The series of basketball victories required to win said championship is recognized by one and all as the mark of excellence in high school athletics; and

WHEREAS, Great stamina, skill, training and discipline is required to win said championship; and



WHEREAS, This competition provided great excitement over a period of many weeks and contributed to the esprit de corps of all students in the high schools in the AAA League;

NOW, THEREFORE, BE IT RESOLVED, That we, the members of the House of Representatives, hereby salute the coach and players of the 1973 Roosevelt High School Basketball Team for this significant sporting accomplishment; and

BE IT FURTHER RESOLVED, That we present to Coach Ben Snowden and to each of the players (James Edwards, Randy Sheriff, Kip Cramer, Peter Nielsen, Robert Hampton, James Koutsky, Carl Goodwin, Gilbert Petitt, Robert Pierce, Ron Nugent, Chuck Lee, Tim Wayne) of the 1973 Roosevelt High School Roughriders a copy of this Resolution with our sincere congratulations.

Mr. Douthwaite moved adoption of the resolution.

Representatives Douthwaite and Johnson spoke in favor of the resolution.

The resolution was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) observed in the south gallery Coach Ben Snowden and the Roosevelt High School Basketball Team, and asked them to stand and be recognized.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 640, by Representatives Williams, Bluechel, Perry, Lysen, Paris, Blair and Wojahn (by Executive request):

Creating a state department of consumer affairs.

#### MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 640 on second reading, and the bill was ordered placed on tomorrow's second reading calendar.

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.

Committee on State Government recommendation: Majority do pass as amended. (For amendments see Journal for thirteenth day, ex. sess., March 21, 1973.)

The bill was read the second time.

On motion of Mr. Williams, the committee amendments to pages 43 and 50 were adopted.

Mr. Williams moved adoption of the committee amendment to page 151.

Mr. Pardini moved adoption of the following amendment to the committee amendment:

On line 2 of the House committee amendment to page 151 after "1975" insert ": PROVIDED, That no part of this act shall go into effect nor any existing law repealed by it cease to be operative until moneys to implement the requirements imposed by the act are appropriated by the legislature"

Representative Pardini spoke in favor of the amendment to the amendment, and Representatives Williams, Bluechel and Smythe spoke against it.

The amendment by Mr. Pardini to the committee amendment was lost.

The committee amendment to page 151 was adopted.

On motion of Mr. Williams, the committee amendments to the title were adopted.

House Bill No. 791 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 791 was placed on final passage.

Representative Bluechel spoke in favor of passage of the bill, and Representatives Hansen and Amen spoke against it.

#### POINT OF INQUIRY

Mr. Bluechel yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Bluechel, as you have described this, this is a major step in the area of land use planning. I have read the bill once, but not twice because of the size of it. The land use planning commission loses its statutory authority at the end of this year. We are delaying the implementation of this bill for two years so we can get some reaction to it. Is there anything in this bill that allows one person, one place, to receive complaints or suggestions during this two-year period? Is there some central place that they can be registered, so changes can be made in a later session before it becomes effective?"

Mr. Bluechel: "Representative Pardini, to answer your question: No, there is nothing in this particular bill to do that particular job; however, it is anticipated that if the bill passes, one of two steps would be taken.

One would be to put a section in the planning and community affairs agency, which worked very closely in the development of the bill to take care of this type of situation. The other would be to propose an addition to the supplemental budget, with a limited one or two-man staff, which would be specifically authorized to deal with the matters you are talking about. That is a very important point. That step is not in the bill because it doesn't belong in the bill. If the bill passes, we will be faced with one of those two alternatives."

Mr. Pardini: "Is there a strong probability that such a provision could be included in this bill when it goes to the Senate--within this bill? Would you object to my working toward that end?"

Mr. Bluechel: "No, I would not."

Representatives Williams, Berentson, Charnley and Zimmerman spoke in favor of the bill, and Representative Cunningham spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 791, and the bill passed the House by the following vote: Yeas, 71; nays, 27; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barden, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Freeman, Gaines, Gaspard, Gilleland, Goltz, Hansey, Hoggins, Hurley, Johnson, Julin, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Anderson, Bauer, Benitz, Conner, Cunningham, Flanagan, Fortson, Gallagher, Garrett, Hansen, Haussler, Hayner, Hendricks, Jastad, Juelling, Kalich, Kuehnle, Laughlin, Morrison, Newhouse, Parker, Patterson, Pullen, Schumaker, Tilly, Wilson.

Engrossed House Bill No. 791, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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 AFTERNOON SESSION  
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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Eikenberry, Haussler and Lysen, who were excused.

SECOND READING

HOUSE BILL NO. 13, by Representatives Kilbury and Polk:

Establishing open primary elections.

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

HOUSE BILL NO. 252, by Representatives Ceccarelli, Pardini, Eikenberry and Leckenby:

Providing for a deferred compensation program for state employees.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 252 was placed on final passage.

Mr. Ceccarelli spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 252, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Douthwaite, Eikenberry, Haussler, Lysen.

House Bill No. 252, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments see Journal for thirteenth day, ex. sess., March 21, 1973.)

The bill was read the second time.

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

House Bill No. 549 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 549 was placed on final passage.

Mr. Kuehnle spoke in favor of the bill, and Mr. Blair spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 549, and the bill passed the House by the following vote: Yeas, 87; nays, 8; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Van Dyk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Charnley, Douthwaite, Erickson, Goltz, Parker, Valle, Wojahn.

Not voting: Representatives Eikenberry, Haussler, Lysen.

Engrossed House Bill No. 549, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 596, by Representatives Johnson and Kelley:

Permitting a vintage motor vehicle to be used for daily transportation and bear plates from its year of manufacture.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments see Journal for eleventh day, ex. sess., March 19, 1973.)

The bill was read the second time.

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

Mr. Kelley moved adoption of the following amendment:

On page 1, section 1, line 13 after "of" beginning with "restored" strike everything down to and including "of" on line 15

Representatives Kelley and Beck spoke in favor of the amendment.

The amendment by Mr. Kelley was adopted.

Mr. Kelley moved adoption of the following amendment:

On page 1, following line 23 add a new section as follows:

"Sec. 2. Section 46.16.310, chapter 12, Laws of 1961 as amended by section 1, chapter 114, Laws of 1971 ex. sess., and RCW 46.16.310 are each amended to read as follows:

Notwithstanding any other provisions of this chapter, any motor vehicle, manufactured during or prior to the year 1931, and owned and operated primarily as a collector's item or for daily personal transportation shall, upon application and acceptance in the manner and at the time prescribed by the department, be issued a special commemorative license plate in lieu of the regular license plates. Any vehicles to be so licensed must be in good running order. In addition to paying all other initial fees required by law, each applicant shall pay a fee of twenty-five dollars, which fee shall entitle him to one permanent license plate valid for the life of the vehicle; PROVIDED, That nothing in this section shall be construed as permitting the use of a vehicle bearing such license plates for personal transportation unless the vehicle shall also display a tag or emblem issued by the director pursuant to RCW 46.16.230 reflect that the vehicle is currently licensed.

The registration numbers and special license plates assigned to such motor vehicles shall run in a separate numerical series, commencing with "Horseless Carriage No. 1." The plates shall be of a distinguishing color.

In the event of defacement, loss or destruction of such special plate, the owner shall apply for a replacement plate in the same manner as prescribed by law for the

replacement of regular plates.

All fees collected under this section shall be deposited in the state treasury and credited to the motor vehicle fund."

Mr. Kelley spoke in favor of the amendment.

#### POINT OF ORDER

Mr. Pardini: "The committee amendment adopted by the body struck the word 'daily' in the phrase 'or for daily personal transportation.' Mr. Kelley is reinserting that word."

The Speaker (Mr. O'Brien presiding): "It appears that this amendment follows line 23, so it is all new material. I believe the sponsor of the amendment is going to strike the word 'daily' from it."

On motion of Mr. Kelley, the following amendment to the amendment was adopted:

On line 6 of the amendment after "for" strike "daily"

The amendment by Mr. Kelley as amended was adopted.

On motion of Mr. Charnley, the following amendment to the title was adopted:

On page 1, line 3 of the title strike the period and insert "; and amending section 46.16.310, chapter 12, Laws of 1961 as amended by section 1, chapter 114, Laws of 1971 ex. sess. and RCW 46.16.310."

House Bill No. 596 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended the second reading considered the third, and Engrossed House Bill No. 596 was placed on final passage.

Mrs. Johnson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 596, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting Yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueing, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke,

Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Patterson.

Not voting: Representatives Eikenberry, Haussler, Lysen, Polk.

Engrossed House Bill No. 596, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

HOUSE BILL NO. 597, by Representatives Thompson, Zimmerman and Laughlin:

Regulating public water supply systems.

MOTION

On motion of Mr. Adams, Substitute House Bill No. 597 was substituted for House Bill No. 597, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 597 was read the second time.

Mr. Zimmerman moved adoption of the following amendment by Representatives Zimmerman and Thompson:

On page 3, section 5, line 15 after "health" insert ", safety or well-being"

Mr. Zimmerman spoke in favor of the amendment.

MOTION

Mr. Newhouse moved that the House defer further consideration of Substitute House Bill No. 597, and the bill be placed at the bottom of today's second reading calendar.

The motion was lost.

The amendment by Representatives Zimmerman and Thompson was adopted.

On motion of Mr. Zimmerman, the following amendment was adopted:

On page 4, line 33, insert a new section:

NEW SECTION. Sec. 8. Industrial water supply systems which do not supply water for residential 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."

Re-number the remaining sections consecutively.



Mr. Newhouse moved adoption of the following amendment:

On page 2, section 3, line 13 strike "serving one single family residence" and insert "serving less than five single family residences"

Representative Newhouse spoke in favor of the amendment, and Representatives Zimmerman and Thompson spoke against it.

Mr. Newhouse spoke again in favor of the amendment, and Mr. Savage spoke against it.

POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Zimmerman, maybe you could explain the legislative intent on line 13, page 2, as it would affect farm families."

Mr. Zimmerman: "The intent is to have good drinking water wherever we can in the state. As far as single family residences there would be logic that the individual farmer would have the choice. It would be a one-man decision as to the quality of his drinking water and of course logically, he would want to have good drinking water for that particular family. That was the reason. You get down to that point and that is about as close as you want to get to interfering. Beyond that, obviously anything beyond your family is of some public concern in terms of the health of the individual."

Representatives Berentson, Morrison and Hansey spoke in favor of the amendment by Mr. Newhouse to Substitute House Bill No. 597, and Representatives Charnley and Perry spoke against it.

Mr. Thompson spoke again in opposition to the amendment.

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Julin, most of the arguments centering around Mr. Newhouse's amendment concern themselves with the inspection of the water system and they are trying to get all water systems inspected. The act says that it shall provide for periodic inspections. Could you tell me what 'periodic inspection' is?"

Mr. Julin: "It could be daily, weekly, monthly--take your pick--biennially, or any period of time you want to pick."

Representatives Pardini, Van Dyk and Blair spoke in favor of adoption of the amendment by Mr. Newhouse.

## POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Hansen.

Mr. Hansen: "In section 4, where it discusses the state fire marshall--if you take the family farm water system that has three or four family units, could he come in and demand a water system installed that would produce pressure and water supply enough to fight a structure fire?"

Mr. Zimmerman: "Representative Hansen, in response to your question, on lines 26 through 31, it would indicate that it 'shall not be required in rural areas where fire control services are not dependent on the public water supply system for a continuous supply of five hundred gallons or more per minute.' In other words, the fire marshall will not be requiring it in the area where there is a tank truck that can do the job."

## POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Thompson, reading through this, there is relatively broad authority given to the secretary to guarantee the quality of water under this act. Is it possible under this act that the secretary could require the flouridation of all water supply?"

Mr. Thompson: "No."

Mr. Morrison: "How about the chlorination of all water supply, or the addition of chemicals on a statewide basis?"

Mr. Thompson: "That would have to be viewed as possible."

Mr. Morrison spoke again in favor of the amendment.

Mr. Kraabel spoke in favor of the amendment by Mr. Newhouse.

Mr. Berentson moved adoption of the following amendment to the amendment by Mr. Newhouse:

On the last line of the Newhouse amendment after "residences" insert "or any existing system that is limited to supply because of geographical location, such as an island."

Representatives Berentson and Thompson spoke in favor of the amendment to the amendment.

The amendment by Mr. Berentson to the amendment was adopted.

The amendment by Mr. Newhouse as amended by Mr. Berentson was adopted on a rising vote.

Substitute House Bill No. 597 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 597 was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 597, and the bill passed the House by the following vote: Yeas, 82; nays, 13; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Conner, Flanagan, Fortson, Hansen, Hayner, Juelling, Kuehnle, North F., Pullen, Schumaker, Smith, Swayze, Warnke.

Not voting: Representatives Eikenberry, Haussler, Lysen.

Engrossed Substitute House Bill No. 597, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125 as amended by the House, by Senators Greive, Ridder, Dore, Stortini, Conner and Van Hollebeke:

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

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

Representatives Charette and O'Brien spoke in favor of the resolution, and Representative Swayze spoke against it.

Mr. Pardini demanded an electric roll call.

RULING BY THE SPEAKER

The Speaker: "The Speaker is informed that on a concurrent resolution authorizing expenditures that the electric roll call is required. I think there is enough of a reference to that that we were going to order it."

Mr. Pardini spoke against passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 125 as amended by the House, and the resolution passed the House by the following vote: Yeas, 55; nays, 39; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Jueling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representatives Blair, Eikenberry, Haussler, Lysen.

Engrossed Senate Concurrent Resolution No. 125 as amended by the House, having received the constitutional majority, was declared passed.

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 third time and placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1019, and the bill passed the House by the following vote: Yeas, 62; nays, 31; not voting, 5.

Voting yea: Representatives Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Blair, Brown, Ceccarelli,

Charette, Charnley, Chatalas, Clemente, Curtis, Douthwaite, Ellis, Eng, Erickson, Freeman, Gaines, Garrett, Gilleland, Hayner, Hendricks, Hoggins, Johnson, Julin, Kelley, Kilbury, Knowles, Kraabel, Laughlin, Leckenby, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Rabel, Randall, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bausch, Berentson, Bluechel, Conner, Cunningham, Ehlers, Flanagan, Fortson, Gallagher, Gaspard, Goltz, Hansen, Hansey, Jastad, Jueling, Kalich, King, Kopet, Kuehnle, Luders, Martinis, North F., Parker, Pullen, Savage, Schumaker, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Amen, Eikenberry, Haussler, Hurley, Lysen.

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.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 611, by Representatives Zimmerman, Thompson and Laughlin:

Providing public water supply system planning.

#### MOTION

On motion of Mr. Adams, Substitute House Bill No. 611 was substituted for House Bill No. 611, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 611 was read the second time.

Mr. Newhouse moved adoption of the following amendment:

On page 2, section 3, line 7 strike "one single family residence" and insert "less than five single family residences"

Representatives Newhouse and Zimmerman spoke in favor of the amendment.

On motion of Mr. Berentson, the following amendment to the amendment by Mr. Newhouse was adopted:

On page 2, section 3, line 7 following the Newhouse amendment insert "or any existing system that is limited to supply because of geographical location, such as an island"

The amendment by Mr. Newhouse, as amended by Mr. Berentson was adopted.

On motion of Mr. Zimmerman, the following amendments by Representatives Zimmerman and Thompson were adopted:

On page 3, section 4, line 5 after "a" strike all material down to and including "a" on line 7

On page 3, section 4, line 7 after "established" and before "service" insert "contiguous"

On motion of Mr. Zimmerman, the following amendment by Representatives Zimmerman, Thompson and Adams was adopted:

On page 5, section 8, line 14 after "factors" and before "directly related" insert ", including but not limited to funding,"

Substitute House Bill No. 611 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 611 was placed on final passage.

Mr. Zimmerman spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 611, and the bill passed the House by the following vote: Yeas, 87; nays, 7; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Flanagan, Fortson, Hansen, Kuehnle, North F., Pullen, Schumaker.

Not voting: Representatives Amen, Eikenberry, Haussler, Lysen.

Engrossed Substitute House Bill No. 611, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 769, by Representative Kopet:

Enabling secretary of department of social and health services to sell certain lands.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment see Journal for fifteenth day, ex. sess., March 23, 1973.)

The bill was read the second time.

On motion of Mr. Parker, the committee amendment was adopted.

House Bill No. 769 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 769 was placed on final passage.

Mr. Kopet spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 769, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charney, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eikenberry, Haussler, Julin, Lysen.

Engrossed House Bill No. 769, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 785, by Representatives Conner, Brown, Bausch, Douthwaite, Chatalas and Wojahn:

Increasing the minimum wage.

Committee on Labor recommendation: Majority, do pass as amended. (For amendment see Journal for ninth day, ex. sess., March 17, 1973.)

The bill was read the second time.

Mr. Savage moved adoption of the committee amendment.

Mr. Juelling moved adoption of the following amendment to the committee amendment:

On line 10 of the amendment, after "hour" and before the period insert "PROVIDED, FURTHER, That for the purposes of this section, wages shall include, in addition to cash remuneration by the employer, all other income derived by an employee from the same employment which is required to be reported for federal income tax purposes"

Mr. Juelling spoke in favor of the amendment.

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

Representatives King, Savage and May spoke against adoption of the amendment to the committee amendment.

#### POINT OF INQUIRY

Mr. King yielded to question by Mr. Parker.

Mr. Parker: "Representative King, as I read this amendment now, at the present time the minimum wage is \$1.60. People involved in the restaurant industry, especially waitresses who receive tips, might conceivably end up making less money than they are making now if the employer decided he didn't want to pay them any minimum wage if their tips exceeded \$1.80 an hour. Is that correct?"

Mr. King: "This could be true for many people in the industry. The effect of passage of this amendment could be reduction of the income of people who are generally at the lower end of the income now."

Representatives Juelling and Pardini spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Juelling yielded to question by Mr. Smythe.

Mr. Smythe: "I missed part of the debate, I'm sorry, but as I read this, does this apply only to those making the minimum wage and not to those earning above it?"

Mr. Juelling: "This applies to the people who are making the minimum wage. In other words, if you are making \$1.65 an hour that is still the base. If the base goes up to \$1.80 an hour, that is still the base, but it would make the tips that you earn part of the minimum wage."

Mr. Smythe spoke against adoption of the amendment.



## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Jueling to the committee amendment to House Bill No. 785, and the amendment to the amendment was lost by the following vote: Yeas, 12; nays, 81; not voting, 5.

Voting yea: Representatives Bluechel, Curtis, Flanagan, Freeman, Gilleland, Jueling, Kopet, Morrison, Newhouse, Pardini, Polk, Swayze.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eikenberry, Haussler, Julin, Lysen, Rabel.

The Speaker stated the question before the House to be the committee amendment to House Bill No. 785.

Mr. Jueling spoke against the committee amendment, and Mr. Savage spoke in favor of it.

## POINT OF ORDER

Mr. Charnley: "Mr. Speaker, I rise to state that I think Representative Jueling's point is well taken. The language of the committee amendment, and he read it very accurately, does not make sense. The committee amendment says after "as may" on line 10 strike the remainder of the section and insert. As Representative Jueling read it, then, line 10 continues to read 'two dollars and fifty cents per hour except as may one dollar and sixty cents per hour except as may be otherwise provided under this chapter.' It seems to me that the intent of the amendment by the House Labor Committee was to insert on line 9 after 'less than' rather than after 'as may' on line 10."

The Speaker: "Representative Charnley, I don't think that is a point of order. It is a point of clarification of the amendment."

## MOTIONS

On motion of Mr. Newhouse, the House deferred further consideration of House Bill No. 785 on second reading, and the bill was ordered placed at the bottom of today's second reading calendar.

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

On motion of Mr. Thompson, the House adjourned until 10:00 a.m., Saturday, March 31, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-THIRD DAY

-----  
MORNING SESSION  
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House Chamber, Olympia, Wash., Saturday, March 31, 1973.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Eikenberry and Julin, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles A. Loyer of the Westminster United Presbyterian Church of Olympia.

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

MESSAGES FROM THE SENATE

March 29, 1973

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2036,  
SENATE BILL NO. 2190,  
ENGROSSED SENATE BILL NO. 2377,  
ENGROSSED SENATE BILL NO. 2491,  
ENGROSSED SENATE BILL NO. 2516,  
ENGROSSED SENATE BILL NO. 2659,  
ENGROSSED SENATE BILL NO. 2667,  
ENGROSSED SENATE BILL NO. 2840,  
SENATE JOINT MEMORIAL NO. 120,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 30, 1973

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2525,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 30, 1973

Mr. Speaker:

The President has signed:

SENATE JOINT MEMORIAL NO. 126,

SENATE JOINT MEMORIAL NO. 127,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 30, 1973

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2278 and the House amendment thereto, and the President has appointed as members of the Conference Committee thereon: Senators Walgren, Marsh and Lewis (Harry).

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

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.

To Committee on Social and Health Services.

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.

To Committee on Constitution and Elections.

ENGROSSED 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.

To Committee on Constitution and Elections.

ENGROSSED 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.

To Committee on Social and Health Services.

ENGROSSED 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.

To Committee on State Government.

ENGROSSED 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.

To Committee on State Government.

ENGROSSED 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.

To Committee on Financial Institutions.

ENGROSSED 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.

To Committee on Labor.

SENATE JOINT MEMORIAL NO. 120, by Senators Sellar and Murray:

Requesting continued federal funding of the Seattle/King County Alcohol Safety Action Project.

To Committee on Social and Health Services.

## MOTION

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

The motion was carried.

## REPORTS OF STANDING COMMITTEES

March 30, 1973

HOUSE BILL NO. 188, Prime Sponsor: Representative Knowles, providing for a change in the method of computing the salary of the court administrator, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 16 after "judge of the" strike "court of appeals" and insert "superior court"

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Maxie, Newhouse, Shinpoch, Smith, Sommers, Swayze.

March 27, 1973

HOUSE BILL NO. 593, Prime Sponsor: Representative Williams, providing for certain property tax exemptions, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Benitz, Eikenberry, Erickson, Goltz, Kilbury, King, Moon, Newhouse, Pardini, Williams.

March 30, 1973

HOUSE BILL NO. 1061, Prime Sponsor: Representative Wojahn, amending the unemployment compensation law relating to certain pension benefits and pregnancy exclusions, reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 18 after "That" insert "commencing with benefit years beginning on and after July 1, 1973."

On page 1, section 1 at the beginning of line 19, strike "wage credits" and insert "wages"

Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, Freeman, Kopet, Matthews, May, Morrison, Parker.

March 30, 1973

ENGROSSED SENATE BILL NO. 2095, Prime Sponsor: Senator Bailey, 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:

In section 1, line 8, after "shall be" strike "ex officio"

In section 1, beginning on line 8 after "district" strike all the material down to and including "designate" on line 10 and insert "unless the treasurer authorizes the commission to designate by resolution"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Kuehnle, Laughlin, Nelson, North (Lois), Paris, Patterson, Smythe, Zimmerman.

March 30, 1973

ENGROSSED SENATE BILL NO. 2524, Prime Sponsor: Senator Twigg, making certain changes in the laws relating to insurance, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Barden, Eikenberry, Kelley, Leckenby, Parker.

March 30, 1973

ENGROSSED SENATE BILL NO. 2656, Prime Sponsor: Senator Lewis (Harry), providing savings and loan association may act as a trustee, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Barden, Eikenberry, Kelley, Leckenby, Parker.

March 30, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2662, Prime Sponsor of original bill: Senator Gardner, providing for the regulation and safe operation of recreational conveyances, reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, section 4, line 7 of the engrossed bill, being line 3 of the printed bill, after "paid into the"

strike "parks and parkways account of the" and insert "((parks and parkways account of the))"

On page 5, section 9, line 26 of the engrossed bill, being line 19 of the printed bill, after "public use" insert "at the beginning of each ski session but at least"

On page 5, section 9, beginning on line 31 of the engrossed bill, being line 24 of the printed bill, after "determine." strike the remainder of the section

Signed by Representatives Hurley, Chairwoman; Ellis, Garrett, North (Frances), Paris, Savage.

#### MOTION

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to Committee on Rules for second reading.

The motion was carried.

#### MOTION

Mr. Thompson moved that the House consider immediately HOUSE BILL NO. 640 on second reading.

The motion was carried.

#### SECOND READING

HOUSE BILL NO. 640, by Representatives Williams, Bluechel, Perry, Lysen, Paris, Blair and Wojahn (by Executive request):

Creating a state department of consumer affairs.

The bill was read the second time.

Mr. Polk moved adoption of the following amendments:

On page 1, section 2, line 27 after "(1)" strike the rest of the line and insert "'Division' means the division of consumer affairs created within the department of commerce and economic development."

On page 2, section 2, line 1 after "(2)" strike the rest of the sentence and insert "'Supervisor' means the supervisor of the division of consumer affairs."

On page 2, line 10 after "3." strike down to and including "director" on line 25 and insert "there is created a division within the department of commerce and economic development to be known as the division of consumer affairs. The administrative head of the division shall be the supervisor. The supervisor shall be appointed by the Governor. He shall serve at the pleasure of the Governor and may be removed upon written notification by the Governor.

The supervisor shall have supervisory powers over the division including the authority, with the approval of the director of the department of commerce and economic development, to organize the division in such a manner as he deems appropriate. He shall be paid a salary fixed by



the Governor in accordance with the provisions of RCW 43.03.040."

On page 3, section 5, line 5 after "The" strike "director" and insert "supervisor"

On page 3, section 6, line 33 strike "director" and insert "supervisor"

On page 4, section 6, line 2, after "the" strike "director" and insert "supervisor"

On page 4, section 6, line 3 after "the" strike "director" and insert "supervisor"

On page 4, section 6, line 5 strike "director" and insert "supervisor"

On page 4, section 6, line 5 after "the" strike "director" and insert "supervisor"

On page 4, section 7, line 11 after "the" strike "director" and insert "supervisor"

On page 4, section 8, line 23 after "the" strike "director" and insert "supervisor"

On page 4, section 8, line 26 after "The" strike "director" and insert "supervisor"

On page 4, section 8, line 29 after "The" strike "director" and insert "supervisor"

On page 4, section 8, line 32 after "the" strike "director" and insert "supervisor"

On page 5, section 8, line 2 after "the" strike "director" and insert "supervisor"

On page 5, section 8, line 8 strike "director" and insert "supervisor"

On page 5, section 9, line 11 after "The" strike "director" and insert "supervisor"

On page 5, section 10, line 18 after "The" strike "director" and insert "supervisor"

On page 5, section 10, line 22 strike "department" and insert "division"

On page 5, section 10, line 31 after "the" strike "director" and insert "supervisor"

On page 6, section 11, line 1 after "The" strike "director" and insert "supervisor"

On page 6, section 11, line 4 after "from" strike "other"

On page 6, section 16, line 32 after "The" strike "director" and insert "supervisor"

On page 7, section 16, line 2 after "the" strike "department" and insert "division"

On page 7, section 16, line 2 after "the" strike "director" and insert "supervisor"

On page 7, section 17, line 5 after "the" strike "director" and insert "supervisor"

On page 7, section 17, line 6 after "secretary" strike all down to and including "number" on line 8

On page 7, section 17, line 16 strike "department" and insert "division"

On page 8, section 21, line 18 after "the" strike "department" and insert "division"

On page 8, section 21, line 21 after "the" strike "department" and insert "division"

On page 8, section 22, line 29 after "the" strike "department" and insert "division"

On page 8, section 22, line 33 after "the" strike "department" and insert "division"

On page 9, section 22, line 3 after "the" strike "department" and insert "division"

On page 9, section 22, line 8 strike "department" and insert "division"

On page 9, section 23, line 14 after "the" strike "department" and insert "division"

On page 9, section 24, line 24 after "revenue," strike down to and including "affairs," on line 25

On page 10, section 25, line 4 after "development" strike "((and))" and insert "and"

On page 10, section 25, line 5 after "revenue" strike ", and (12) the director of consumer affairs"

Representative Polk spoke in favor of the amendments, and Representatives Williams and Bluechel spoke against them.

Mr. Polk closed debate, speaking again in favor of the amendments.

The amendments by Mr. Polk to House Bill No. 640 were lost on a rising vote.

Mr. Swayze moved adoption of the following amendments:

On page 1, section 2, line 27 after "of" strike "consumer affairs" and insert "business and consumer services"

On page 2, section 3, line 11 after "of" strike "consumer affairs" and insert "business and consumer services"

On page 2, section 4, line 27 after "of" strike "consumer affairs" and insert "business and consumer services"

On page 9, section 23, line 25 after "of" strike "consumer affairs" and insert "business and consumer services"

On page 10, section 25, line 5 after "of" strike "consumer affairs" and insert "business and consumer services"

On page 10, section 25, line 5 after "of" strike "consumer affairs" and insert "business and consumer services"

Mr. Swayze spoke in favor of adoption of the amendments, and Mr. Williams spoke against their adoption.

Mr. Swayze spoke again in favor of the amendments.

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

Representatives Kilbury, Bluechel, Leckenby and Polk spoke in favor of adoption of the amendments.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendments by Mr. Swayze to House Bill No. 640, and the amendments were adopted by the following vote: Yeas, 52;

nays, 44; not voting, 2.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Cunningham, Curtis, Ehlers, Ellis, Eng, Flanagan, Freeman, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Juelling, Kelley, Kilbury, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North F., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Smith, Smythe, Sommers, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Erickson, Fortson, Gaines, Gallagher, Gaspard, Hurley, Jastad, Johnson, Kalich, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North L., O'Brien, Perry, Randall, Savage, Shinpoch, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Eikenberry, Julin.

The Speaker assumed the Chair.

Mr. Williams moved adoption of the following amendment:

On page 2, section 3, line 19 after "appropriate" and before the period insert ": PROVIDED, That the powers, duties, and functions now vested within the divisions of banking and of savings and loan associations now within the department of general administration shall be separately administered"

Mr. Williams spoke in favor of the amendment, and Mr. Pardini spoke against it.

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

Mr. Williams closed debate, speaking again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Williams to House Bill No. 640, and the amendment was adopted by the following vote: Yeas, 88; nays, 5; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson,

Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Juelling, Kopet, North L., Pardini, Schumaker.

Not voting: Representatives Amen, Eikenberry, Julin, Kuehnle, Smythe.

The Clerk read the following amendment by Mr. Pardini:

On page 2, section 4, line 27 after "of" strike "consumer affairs" and insert "commerce and economic development"

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

Mr. Curtis moved adoption of the following amendment:

On page 3, section 4, line 5 insert a new subsection:

"(4) All powers, duties, and functions now vested by law in the consumer protection division of the office of the attorney general. Any other provision of the Revised Code of Washington notwithstanding, the director may employ attorneys to carry out the provisions of this subsection."

Mr. Curtis spoke in favor of adoption of the amendment, and Mr. Williams spoke against it.

Mr. Curtis spoke again in favor of the amendment.

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

Mr. Bluechel spoke against adoption of the amendment by Mr. Curtis.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Curtis to House Bill No. 640, and the amendment was lost by the following vote: Yeas, 32; nays, 64; not voting, 2.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Cunningham, Curtis, Douthwaite, Flanagan, Freeman, Gilleland, Hansey, Hayner, Juelling, Kalich, Kopet, Kuehnle, Matthews, Nelson, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Shipoch, Smith, Smythe, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, O'Brien, Parker, Perry, Randall, Savage, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eikenberry, Julin.

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

On page 3, section 5, line 5 after "have the" and before "to" on line 6 strike "following powers and it shall be his duty" and insert "power"

On page 3, section 5, line 26 insert a new subsection as follows:

"(9) Establish fees as provided by law except that fees for those institutions subject to the authority of the supervisors of banking and of savings and loan associations shall not exceed the costs of the examination, regulation and supervision of those institutions."

On page 4, section 6, line 3 after "intervene" and before "to" on line 4 strike "in such matter or proceeding in any appropriate manner" and insert "as amicus in any such matter or proceeding"

Mr. Tilly moved adoption of the following amendment to House Bill No. 640:

On page 4, section 8, line 22 after "any" and before "notify" on line 24 strike "complaint pursuant to section 7 of this 1973 amendatory act, the director may" and insert "valid complaint pursuant to section 7 of this 1973 amendatory act, the director shall"

Representatives Tilly and Williams spoke in favor of adoption of the amendment.

The amendment by Mr. Tilly was adopted.

On motion of Mr. Williams, the following amendment was adopted:

On page 4, section 8, line 26 after "director" and before "or" strike "shall also transmit any valid complaint to the state" and insert "may also transmit any valid complaint to the state, local"

Mr. Curtis moved adoption of the following amendment:

On page 5, section 10, line 33 following "consumers." insert a new paragraph to read as follows:

"All of the above shall be performed in full compliance with RCW 42.17, 44.64, and 29.83."

Mr. Curtis spoke in favor of the amendment, and Mr. Bluechel spoke against it.

Mr. Curtis spoke again in favor of the amendment.

#### PARLIAMENTARY INQUIRY

Mr. Thompson: "If this amendment bears on Initiative 276, as it appears to, would it require a two-thirds vote to pass, if adopted?"

The Speaker: "In answer to your parliamentary inquiry, there is a possibility that it might expand the scope of 276 and these other referendums and initiatives. If the point of order was raised, the Speaker would probably have to delay action until he had a chance to talk

with the Attorney General and legal counsel with regard to whether or not this particular person is already within it. If he is already within the scope, then it would not need two-thirds vote. If he is outside for some reason, it could possibly require the two-thirds."

Mr. Brown spoke against adoption of the amendment, and Mr. Curtis closed debate, speaking again in favor of the amendment.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Curtis to House Bill No. 640, and the amendment was lost by the following vote: Yeas, 23; nays, 72; not voting, 3.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Cunningham, Curtis, Flanagan, Freeman, Gilleland, Hansey, Hayner, Jueling, King, Kopet, Kuehnle, Nelson, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Paris, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eikenberry, Julin, Pardini.

Mr. Polk moved adoption of the following amendment:

On page 6, line 6 strike all material down to and including line 31 and renumber the remaining sections consecutively

Mr. Polk spoke in favor of the amendment, and Mr. Williams spoke against it.

The amendment by Mr. Polk was not adopted.

On motion of Mr. Williams, the following amendment was adopted:

On page 7, section 17, line 8 after "number" and before the period insert "and the supervisor of banking and the supervisor of savings and loan associations"

The Clerk read the following amendment by Mr. Barden:

On page 11, section 30, line 15 after "1973" and before the period insert ": PROVIDED, That the effective date of this act shall be deferred and shall not become

effective until the guarantee per weighted pupil in the common schools is equal to or greater than \$500 per year"

POINT OF ORDER

Mr. Williams: "Mr. Speaker, might I ask if this amendment is within the scope and object of the bill?"

The Speaker: "Are you objecting that this amendment is beyond the scope and object?"

Mr. Williams: "Yes."

Mr. Barden: "Mr. Speaker, the floor amendment that I have offered merely deals with the effective date of the act, and I fail to see how establishing an effective date for a bill to become implemented could be beyond the scope and object of the bill itself. We, in many instances, establish effective dates of bills, and I think that this is perfectly within the traditional practice of the legislature to make that decision as to when legislation should take effect. It is no more beyond the scope and object, in my judgment, than an emergency clause would be, to call for immediate implementation of a bill."

The Speaker: "Representative Williams, your point of order is premature since the amendment has not been moved for adoption as yet."

Mr. Barden moved adoption of the amendment.

Mr. Williams: "Mr. Speaker, I request a ruling of the Chair on the scope and object of the amendment."

RULING BY THE SPEAKER

The Speaker: "The Speaker rules that the point of order is well taken. The provisions within the contingency have no relationship at all to the act or anything we are considering before us. We are only considering the effective date of the act. Therefore, your point of order is well taken, and the amendment would be ruled out of order, Representative Barden."

Mr. Barden moved adoption of the following amendment:

On page 11, section 29, line 15 after "July 1," strike "1973" and insert "1975"

Mr. Barden spoke in favor of the amendment.

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

Mr. Perry spoke against adoption of the amendment.

POINT OF ORDER

Mr. Swayze: "I request that the Chair make sure Representative Perry stays within the discussion on the

amendment."

The Speaker: "Representative Perry, I think the point is well taken. Would you stay within the scope of the amendment--whether this act shall take effect in 1973 or 1975."

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

Mr. Swayze spoke against adoption of the amendment, and Mr. Barden spoke again in favor of it.

#### POINT OF ORDER

Mr. Charnley: "Mr. Speaker, I would ask you to direct the speaker to tell us why we should vote for or against this amendment--not about funding of schools. That is not within the purview of this bill."

The Speaker: "Representative Barden, would you please confine your remarks to the question of whether we should have this in 1973 or 1975. I understand if there is a financial impact in this, it would open up the discussion of financing schools, but I wish you would keep it in that light."

Mr. Barden concluded his remarks in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Barden to House Bill No. 640, and the amendment was lost by the following vote: Yeas, 26; nays, 68; not voting, 4.

Voting yea: Representatives Barden, Berentson, Cunningham, Curtis, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Jueling, Kopet, Kuehnle, Matthews, Pardini, Parker, Patterson, Polk, Pullen, Randall, Schumaker, Smith, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Perry, Rabel, Savage, Shinpoche, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Eikenberry, Julin, Maxie, Tilly.

On motion of Mr. Charnley, the following amendment was adopted:

On page 3, section 4, line 4 after subsection (3) insert the following:

"In addition, the provisions of chapter ...(SB



2268), Laws of 1973 ex. sess., shall be administered by the department of business and consumer services created under this 1973 act."

Mr. Smythe moved adoption of the following amendment:

On page 1, line 2 after "affairs" strike all material down to page 11, line 15 and insert "The concept of a department of consumer affairs as embodied in House Bill No. 640 shall be studied by the Legislative Council or its successor, and appropriate legislation if any, shall be presented to the 1974 legislative session."

Mr. Pullen moved adoption of the following amendment to the amendment by Mr. Smythe:

On line 9 of the amendment after "1974" and before "legislative" insert "or 1975"

Representatives Pullen and Smythe spoke in favor of adoption of the amendment to the amendment.

The amendment by Mr. Pullen to the amendment by Mr. Smythe was adopted.

Mr. Smythe spoke in favor of adoption of the amendment as amended.

#### POINT OF INQUIRY

Mr. Smythe yielded to question by Mr. Perry.

Mr. Perry: "Yes, Mr. Smythe, didn't the Governor ever show you these programs before you got down here, or did you just see this for the first time today?"

Mr. Smythe: "No, he didn't talk to me personally."

Mr. Perry: "The Republican caucus--haven't you had the people from the Governor's office come in and talk to you about these programs?"

Mr. Smythe: "No."

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

Representatives Swayze and Chatalas spoke against adoption of the amendment by Mr. Smythe as amended by Mr. Pullen, and Mr. Cunningham spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Smythe as amended by Mr. Pullen to House Bill No. 640, and the amendment was lost by the following vote: Yeas, 29; nays, 67; not voting, 2.

Voting yea: Representatives Amen, Barden, Bauer, Bausch, Benitz, Berentson, Cunningham, Curtis, Ehlers, Erickson, Flanagan, Freeman, Gilleland, Hansey, Hayner, Hurley, Jueling, Kopet, Kuehnle, Nelson, Pardini, Parker,

Patterson, Polk, Pullen, Schumaker, Smythe, Tilly, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ellis, Eng, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hoggins, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Paris, Perry, Rabel, Randall, Savage, Shipoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Eikenberry, Julin.

On motion of Mr. Swayze, the following amendment to the title was adopted:

On page 1, line 1 of the title after "of" strike "consumer affairs" and insert "business and consumer services"

House Bill No. 640 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTIONS

On motion of Mr. Charette, HOUSE BILL NO. 711 was rereferred from the Committee on State Government to the Committee on Commerce.

On motion of Mr. Thompson, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Eikenberry and Julin who were excused.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

On motion of Mr. Charette, the House reverted to the third order of business.

MESSAGE FROM THE SECRETARY OF STATE

March 21, 1973

THE HONORABLE,  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
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 House, the following bill passed by the House of Representatives and Senators of the Regular Session of the Forty-third Legislature and vetoed by the Governor after the adjournment of said session, together with his veto message attached thereto.

It is ENROLLED HOUSE BILL NO. 171 which authorizes personalized auto license plates and earmarks such revenue, as an additional source of funding nongame animal management programs.

Respectfully,  
A. LUDLOW KRAMER,  
Secretary of State.

March 29, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval HOUSE BILL NO. 171 entitled: An act relating to state government.

This bill would provide for a system of issuance of personalized license plates with the revenue derived therefrom to go into the Game Fund for the Department of Game to be used for nongame animal management. Nongame animal management is a laudable and valid program which should be funded. In keeping with that belief, I am sending letters to the chairmen of the Ways and Means Committee of both houses requesting that provision be made for nongame animal management in the budget, and that such provision be from general fund revenues. I am basically opposed to earmarking revenue sources for specific programs. The usual result of such action is to create a lid on the program funded rather than provide for effective program management. History has shown that when programs or even agencies are unshackled from earmarked revenue sources and receive funding through the state general fund that their funding increases substantially over that previously available.

The concept of personalized license plates as an additional state revenue source and funding of a program for nongame animal management are excellent proposals. However, they should not be unalterably joined together such that necessary future needs cannot be adequately met for either concept.

There are currently bills before the legislature which would provide for issuance of personalized license plates with the revenues derived therefrom to be paid into the Highway Safety Fund in one case, and the state general

fund in another case. Either of these measures would be a more effective method of handling this proposal.

Accordingly, for the reasons set out above, I have determined to veto House Bill No. 171.

Respectfully submitted,  
DANIEL J. EVANS,  
Governor.

Mr. Charette demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Eikenberry and Julin.

On motion of Mr. Charette, the absent members were excused, and the House proceeded with business under the Call of the House.

#### MOTION TO OVERRIDE GOVERNOR'S VETO

Mr. Martinis moved that House Bill No. 171 do pass the House notwithstanding the veto of the Governor.

Mr. Charette demanded an oral roll call and the demand was sustained.

Representatives Martinis and Luders spoke in favor of the motion and Mr. Swayze spoke against it.

Mr. Julin appeared at the bar of the House.

#### REQUEST THAT VETO MESSAGE BE READ IN FULL

Mr. Barden: "Mr. Speaker, under House Rule No. 78, I request that the veto message be read in full."

The Speaker (Mr. O'Brien presiding): "Mr. Barden, the Speaker asked if there were any objections to the Clerk reading the last line. At that time, no objections were raised. However, if you want it read in full, we will read it."

The Clerk read the veto message from the Governor relating to House Bill No. 171.

Mr. Charette spoke in favor of the motion, and Mr. Kraabel spoke against it.

Mr. Perry spoke in favor of the motion by Mr. Martinis.

#### POINT OF ORDER

Mr. Newhouse: "I would suggest that the gentleman is not speaking to the point at issue."

The Speaker (Mr. O'Brien presiding): "I think he is. Go ahead, Mr. Perry."

Mr. Perry concluded his remarks in favor of the motion.

POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Barden.

Mr. Barden: "Representative Perry, when the word went out that the Governor was going to veto this bill, I was contacted by several people from the Game Department and the environmentalists and asked to override the Governor's veto. I asked them, frankly, if they could tell me how the money would be expended to protect the chipmunks and the chicken hawks and the owls and the muskrats and the groundhogs and the marmots that are the nongame animals that are supposed to be protected. I said, 'How are you going to spend this money to protect these animals?' And they couldn't tell me. I thought maybe, Mr. Perry, that you could explain to me exactly how these funds could be implemented to protect these little animals?"

Mr. Perry: "Mr. Barden, I can't answer that, but you voted 'yes' on this measure when we had it here before us, and you obviously didn't know what you were doing."

Mr. Barden spoke against the motion by Mr. Martinis.

Representatives Clemente, Zimmerman, Kelley and Kalich spoke in favor of the motion that House Bill No. 171 do pass the House notwithstanding the veto of the Governor, and Representatives Tilley and Brown spoke against the motion.

PARLIAMENTARY INQUIRY

Mr. Pardini: "Will you tell the body how many votes are needed to override the veto?"

The Speaker (Mr. O'Brien presiding): "According to the State Constitution, Article III, section 12, it requires that two-thirds of the members present shall agree to pass the bill notwithstanding the Governor's veto."

Mr. Pardini: "How many are present, Mr. Speaker?"

The Speaker (Mr. O'Brien presiding): "Ninety-seven."

Mr. Pardini: "Two-thirds of that would be sixty-five. Am I correct?"

The Speaker (Mr. O'Brien presiding): "Yes."

Mr. Pardini: "And a vote 'yes' is a vote in favor of overriding the Governor's veto?"

The Speaker (Mr. O'Brien presiding): "Yes."

Mr. Pardini: "And a vote 'no' is to sustain the Governor's veto?"

The Speaker (Mr. O'Brien presiding): "You are correct, Mr. Pardini."

#### ROLL CALL

The Clerk called the roll on the motion by Representative Martinis that House Bill No. 171 do pass the House notwithstanding the veto of the Governor, and the motion was lost by the following vote: Yeas, 64; nays, 33; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Flanagan, Freeman, Garrett, Gilleland, Hayner, Hoggins, Jueling, Julin, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Rabel, Smythe, Swayze, Tilly, Wilson.

Not voting: Representative Eikenberry.

#### MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

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

On motion of Mr. Charette, the House adjourned until 12:00 noon, Monday, April 2, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-FIFTH DAY

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NOON SESSION  
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House Chamber, Olympia, Wash., Monday, April 2, 1973.

The House was called to order at 12:00 noon by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Kelley who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend J. Alan Justad of the First United Methodist Church of Olympia.

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

MESSAGES FROM THE SENATE

March 30, 1973

Mr. Speaker:

The Senate has passed:

  SENATE BILL NO. 2061,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2085,  
  ENGROSSED SENATE BILL NO. 2112,  
  ENGROSSED SENATE BILL NO. 2245,  
  SENATE BILL NO. 2307,  
  ENGROSSED SENATE BILL NO. 2319,  
  ENGROSSED SENATE BILL NO. 2501,  
  SUBSTITUTE SENATE BILL NO. 2741,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 31, 1973

Mr. Speaker:

The Senate has passed:

  ENGROSSED SENATE BILL NO. 2045,  
  ENGROSSED SUBSTITUTE SENATE BILL NO. 2554,  
REENGROSSED SUBSTITUTE SENATE BILL NO. 2583,  
  SENATE BILL NO. 2833,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 31, 1973

Mr. Speaker:

The President has signed:

  SENATE BILL NO. 2268,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 31, 1973

Mr. Speaker:

The Senate 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.

Bill Gleason, Assistant Secretary.

March 30, 1973

Mr. Speaker:

The Senate refuses to recede from its amendment to ENGROSSED HOUSE BILL NO. 782 on page 4, section 3, line 16 of the engrossed bill, being line 18 of the printed bill, and insists on its position and once again requests the House to concur, and said bill is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Charette moved that the House concur in the Senate amendment to page 4, section 3, line 16 of Engrossed House Bill No. 782.

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

Mr. Charette spoke in favor of the motion.

## PARLIAMENTARY INQUIRY

Mr. Curtis: "Would you explain what the options are at this point in time? It is my understanding this amendment in question--the House refused to concur the first time and sent it back to the Senate asking them to recede. They have now insisted on their position and asked us to concur. If we again refuse to do so, (in essence saying 'no' to the Senate) are we required to ask for a conference, or may we simply insist on our position and ask them once again to recede?"

The Speaker (Mr. O'Brien presiding): "In reply to your parliamentary inquiry on the result of a motion to concur, Reed's Rule No. 250 states as follows relative to the motion to concur: 'Each of these two motions, to concur and to noncur, is the reverse of the other, and hence when one is rejected the other is considered adopted. The motion to concur is always put first, if demanded, even if the other is moved first, because it is the affirmative and is in the line of agreement with the other body.' Therefore, if the motion to concur is defeated, then the motion to not concur is automatically adopted and will be coupled with a request for a conference thereon."

Mr. Curtis spoke against the motion by Mr. Charette that the House concur in the Senate amendment to page 4, section 3, line 16 of Engrossed House Bill No. 782.

## POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Douthwaite.



Mr. Douthwaite: "Mr. Charette, I think I'm not alone in needing some help to try to figure out exactly how this amendment affects the trading stamp operation in the state. Would you please shed a little light on the impact of this amendment on the bill?"

Mr. Charette: "Mr. Douthwaite, the Attorney General of our state had ruled sometime ago that the trading stamp operation does not come within the franchise law. In that ruling there are some thirteen to fifteen states that have franchise laws similar to ours where the same ruling has been issued. Now the Attorney General wrote me a letter about two weeks before this issue came back to the House. I was not satisfied with that letter that was written, so I requested another, and last week I inserted in the Journal a letter from the Attorney General saying that this amendment would only put into the statutes the way trading stamp companies now are being treated. The amendment does not authorize trading stamp companies to do any more than they are now doing. It is because of that letter and the assurance of the Attorney General, and quite frankly, in reading it myself, that I am making this motion and asking the House to concur in the Senate amendment."

Mr. Curtis spoke again in opposition to the motion by Mr. Charette, and Mr. Charette spoke again in favor of it.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Kraabel.

Mr. Kraabel: "You have gone through really what the amendment does not do. I am not sure what it does do. Can you tell me what it accomplishes, or what the effect is of putting these words in?"

Mr. Charette: "Mr. Kraabel, I think that probably the discussion and the debate on this has been about as honest and as straightforward as it could be. The Attorney General of our state, along with some thirteen or fifteen other states, has said that trading stamps are not within the franchise laws. Now what this amendment does is to put in the statutes that trading stamp companies are not within the franchise laws. It doesn't seem to be necessary to have them in."

POINT OF INQUIRY

Mr. Curtis yielded to question by Mr. Moon.

Mr. Moon: "I've heard a lot of people talking that the trading stamp companies are not under our franchise laws, but nobody has told me why they are not, or why they should not be. Could you answer this?"

Mr. Curtis: "I can't tell you why they are not unless by definition of a franchisor as contained in the original act, trading stamp companies do not qualify. I can only tell you that the Attorney General says right now

they are not under the definition of the act. As far as why they should not be, I don't believe they should not be. That is why I am having an act drawn right now by Bill Drafting that would definitely bring them under the franchising act, because they are a franchising type of operation. They use franchise dealers to handle their stamps, and they do exchange money for those stamps, etc. There is another law on our books which requires any dealer to purchase an annual license at a very high fee if he wants to redeem those stamps and premiums. That is why, effectively, that is prevented here in Washington state, but you may handle trading stamps and redeem them in cash under our current law. But that is apparently outside the purview of the franchise investment protection act. I'm sorry, Representative Moon, I can't really tell you why, unless it is in the definition."

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Moon.

Mr. Moon: "Representative Charette, can you tell me why the trading stamp people should not be under the franchise act?"

Mr. Charette: "No, Representative Moon, I really can't, because I hadn't considered that before this amendment came. I think that the question to be considered by the legislature would be whether or not we would allow trading stamps in exchange for merchandise, rather than to have them under the franchise law. I would assume that a partial answer would be that if there were any great abuses in this area, that the Attorney General or the Governor's office or any number of at least ten or fifteen legislators would have introduced a bill at this session if there had been any abuses."

Mr. Moon spoke against the motion by Mr. Charette.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Charette that the House concur in the Senate amendment to page 4, section 3, line 16 of Engrossed House Bill No. 782, and the motion was lost by the following vote: Yeas, 37; nays, 60; not voting, 1.

Voting yeas: Representatives Adams, Anderson, Bauer, Bausch, Bender, Charette, Charley, Chatalas, Conner, Douthwaite, Ehlers, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Kilbury, King, Knowles, Luders, Martinis, May, McCormick, North F., O'Brien, Parker, Perry, Shipoch, Smith, Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nays: Representatives Amen, Bagnariol, Barden, Beck, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Clemente, Cunningham, Curtis, Eikenberry, Ellis, Eng, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Matthews, Maxie, Moon,

Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smythe, Swayze, Tilly, Van Dyk, Wilson, Zimmerman.

Not voting: Representative Kelley.

The Speaker (Mr. O'Brien presiding) stated that by its vote, the House refuses to concur in the Senate amendment to page 4, section 3, line 16 of Engrossed House Bill No. 782, and again asks the Senate to recede therefrom.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

On motion of Mr. Charette, the House adjourned until 2:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Rabel who was excused.

#### SENATE AMENDMENT TO HOUSE BILL

March 30, 1973

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 351 with the following amendment:

On page 1, section 1, beginning on line 21 after "PROVIDED, That" strike all 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"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Lysen moved that the House concur in the Senate amendment to Substitute House Bill No. 351.

Representatives Lysen and Kopet spoke in favor of the motion.

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 351 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 351 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 73; nays, 19; not voting, 6.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hoggins, Hurley, Johnson, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gilleland, Hayner, Hendricks, Jastad, Juelling, Kalich, Kraabel, Matthews, Morrison, Newhouse, Polk, Tilly.

Not voting: Representatives Bender, Julin, Kelley, Parker, Rabel, Smythe.

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.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SENATE JOINT MEMORIAL NO. 126,  
SENATE JOINT MEMORIAL NO. 127,  
SENATE BILL NO. 2268,  
SENATE BILL NO. 2525.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1102, by Representative Douthwaite:

AN ACT Relating to environmental protection; and creating a new chapter in Title 7 RCW.

To Committee on Ecology.

HOUSE BILL NO. 1103, by Representatives Douthwaite, Van Dyk and Kilbury:

AN ACT Relating to aviation fuel tax; amending section 3, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.030; and amending section 9, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.090.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1104, by Representatives Maxie, Eng, Morrison, Sommers, Newhouse and Perry:

AN ACT Relating to revenue and taxation; 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.

To Committee on Ways and Means - Revenue.

HOUSE CONCURRENT RESOLUTION NO. 49, by Representatives Smith, Sommers, Maxie, Kelley, Swayze, Julin, Gaspard, Hayner, Knowles and Laughlin:

Providing for a study of criminal sentencing procedures.

To Committee on Judiciary.

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

AN ACT Relating to civil procedures; creating a new chapter in Title 4 RCW; and declaring an effective date.

To Committee on Judiciary.

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.

To Committee on Judiciary.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2085, by Committee on Transportation and Utilities (Originally sponsored 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 46.04.100, 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 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 50, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.360; and repealing section 56, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.420.

To Committee on Transportation and Utilities.

ENGROSSED 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; and declaring an emergency.

To Committee on Higher Education.

ENGROSSED 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.

To Committee on Transportation and Utilities.

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.

To Committee on Education.

ENGROSSED 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.

To Committee on Judiciary.

ENGROSSED 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.

To Committee on Natural Resources.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2554, by Committee on Local Government (Originally sponsored by Senators Murray and Metcalf):

AN ACT Relating to animals; amending section 1, chapter 146, Laws of 1901 and RCW 16.52.020; and adding a new section to chapter 146, Laws of 1901 and to chapter 16.52 RCW.

To Committee on Local Government.

REENGROSSED SUBSTITUTE SENATE BILL NO. 2583, by Committee on Transportation and Utilities (Originally sponsored 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; amending section 2, chapter 137, Laws of 1965 as last amended by section 3, chapter 1, Laws of 1973 ex. sess. and RCW 46.44.0941; adding a new section to chapter 46.44 RCW; declaring an emergency; and providing an effective date.

To Committee on Transportation and Utilities.

SUBSTITUTE SENATE BILL NO. 2741, by Committee on Transportation and Utilities (Originally sponsored by Senators Guess, Washington and Henry):



AN ACT Relating to the regulation of vehicle dealers, manufacturers, and salesmen; amending section 1, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.005; amending section 3, chapter 74, Laws of 1967 ex. sess. as amended by section 1, chapter 63, Laws of 1969 ex. sess. and RCW 46.70.011; amending section 4, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.021; amending section 5, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.031; amending section 6, chapter 74, Laws of 1967 ex. sess. as last amended by section 1, chapter 74, Laws of 1971 ex. sess. and RCW 46.70.041; amending section 7, chapter 74, Laws of 1967 ex. sess. as amended by section 2, chapter 74, Laws of 1971 ex. sess. and RCW 46.70.051; amending section 13, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.061; amending section 46.70.070, chapter 12, Laws of 1961 as last amended by section 4, chapter 74, Laws of 1971 ex. sess. and RCW 46.70.070; amending section 8, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.081; amending section 9, chapter 74, Laws of 1967 ex. sess. as amended by section 5, chapter 74, Laws of 1971 ex. sess. and RCW 46.70.082; amending section 10, chapter 74, Laws of 1967 ex. sess. as amended by section 6, chapter 74, Laws of 1971 ex. sess. and RCW 46.70.083; amending section 46.70.090, chapter 12, Laws of 1961 as last amended by section 7, chapter 74, Laws of 1971 ex. sess. and RCW 46.70.090; amending section 11, chapter 74, Laws of 1967 ex. sess. as amended by section 4, chapter 63, Laws of 1969 ex. sess. and RCW 46.70.101; amending section 46.70.120, chapter 12, Laws of 1961 and RCW 46.70.120; amending section 46.70.130, chapter 12, Laws of 1961 and RCW 46.70.130; amending section 46.70.140, chapter 12, Laws of 1961 as last amended by section 8, chapter 74, Laws of 1971 ex. sess. and RCW 46.70.140; 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; amending section 2, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.900; amending section 46.16.020, chapter 12, Laws of 1961 as last amended by section 14, chapter 32, Laws of 1967 and RCW 46.16.020; amending section 46.16.045, chapter 12, Laws of 1961 and RCW 46.16.045; adding a new section to chapter 46.16 RCW; adding new sections to chapter 46.70 RCW; repealing section 46.70.060, chapter 12, Laws of 1961, section 77, chapter 32, Laws of 1967, section 26, chapter 74, Laws of 1967 ex. sess., section 3, chapter 74, Laws of 1971 ex. sess., section 5, chapter 99, Laws of 1972 ex. sess. and RCW 46.70.060; and repealing section 29, chapter 74, Laws of 1967 ex. sess., section 9, chapter 74, Laws of 1971 ex. sess. and RCW 46.70.280.

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 9C.58.030.

To Committee on State Government.

MOTION

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

The motion was carried.

REPORTS OF STANDING COMMITTEES

March 30, 1973

HOUSE BILL NO. 122, Prime Sponsor: Representative Benitz, preventing the display of indecent materials, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Maxie, Newhouse, Smith, Sommers, Swayze.

March 30, 1973

HOUSE BILL NO. 445, Prime Sponsor: Representative Adams, prohibiting discrimination in employment because of physical handicap, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Fortson, Freeman, Hendricks, Johnson, Kelley, Matthews, May, Paris, Savage, Wojahn, Zimmerman.

March 30, 1973

HOUSE BILL NO. 457, Prime Sponsor: Representative Bagnariol, providing for payment for costs of relocating public sewer and water facilities located within the right of way of certain highways, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Ceccarelli, Clemente, Gaines, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Nelson, Patterson, Pullen, Schumaker.

March 30, 1973

HOUSE BILL NO. 505, Prime Sponsor: Representative Hoggins, specifying procedures for maintaining certain records of juveniles, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Maxie, Newhouse, Smith, Sommers, Swayze.

March 30, 1973

HOUSE BILL NO. 712, Prime Sponsor: Representative Amen, limiting release of information by department of motor vehicles, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Ceccarelli, Clemente, Douthwaite, Gaines, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Lysen, Patterson, Schumaker.

March 30, 1973

HOUSE BILL NO. 808, Prime Sponsor: Representative Thompson, revising forest fire protection assessments, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 12, beginning on line 24 strike all of section 11 and insert the following new sections:

NEW SECTION. Sec. 11. With respect to the forest patrol assessment provided for in RCW 76.04.360, for the calendar years 1973 and 1974 the cost to the owner of 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.

This 1973 amendatory act shall be subject to further review by the legislative committees on natural resources prior to January 1, 1974.

NEW SECTION. Sec. 12. The effective date of this 1973 amendatory act shall be January 1, 1975, except section 11 hereof, which section is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 18 of the title, after "52.20.027;" strike the remainder of the title and insert "creating new sections; making an effective date; and declaring an emergency."

Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Conner, Gilleland, Hansen, Hansey, Kalich, Kilbury, Schumaker, Tilly.

March 30, 1973

HOUSE BILL NO. 966, Prime Sponsor: Representative Van Dyk, providing for determination of municipal water rates, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 12 after "therefrom" strike all the material down to and including "~~That~~). The" on line 13 and insert ", with full power to regulate and control the use, distribution, and price thereof: PROVIDED, That the"

On page 1, section 1, line 17 after "consider" strike "any or" and insert "((any or))"

On page 1, section 1, line 24 after "assessments;)" strike "of" and insert "by"

On page 2, section 2, beginning on line 30 after "located" strike the remainder of the section and insert "shall review and be consulted on any rates charged for water to any customers residing outside of the incorporated area of a city or town. Customers residing outside of the incorporated area of a city or town shall have the right to petition the county legislative authority for a recommendation of reasonable rates to be charged. Recommendations from the county legislative authority for reasonable rates shall be considered by the city or town when setting rates for customers residing outside of the incorporated area of a city or town."

Signed by Representatives Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Kuehne, Laughlin, North (Lois), Paris, Patterson, Smythe, Zimmerman.

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

March 30, 1973

HOUSE BILL NO. 1075, Prime Sponsor: Representative Kopet, providing for state participation in the federal supplemental security income program, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Fortson, Freeman, Hendricks, Kelley, Matthews, May, Wojahn.

March 30, 1973

HOUSE BILL NO. 1092, Prime Sponsor: Representative Douthwaite, providing that fire protection services for state agencies and institutions supplied by cities and towns shall be on a contract basis, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 10 after "adjacent to" insert "land on which are located"

On page 1, section 1, line 24 after "force a" insert "comprehensive"

On page 2, section 2, line 3 after "adjacent to" insert "land on which are located"

On page 2, section 2, line 17 after "force a" insert "comprehensive"

On page 2, section 3, line 23 after "adjacent to" insert "land on which are located"

On page 3, section 3, line 4 after "force a" insert "comprehensive"

On page 3, section 4, line 9 after "adjacent to" insert "land on which are located"

On page 3, section 4, line 24 after "force a" insert "comprehensive"

On page 3, section 5, line 30 after "to" and before "buildings" insert "land on which are located"

On page 4, section 5, line 11 after "force a" insert "comprehensive"

On page 4, section 6, line 15 strike "1974" and insert "1975"

On page 4, line 16 add a new section to read as follows:

"NEW SECTION. Sec. 7. The interim standing committee on Local Government shall study the subject of this act and report back to the next session of the legislature."

Signed by Representatives Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Kuehnle, Nelson, North (Frances), North (Lois), Patterson, Smythe.

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

March 30, 1973

HOUSE CONCURRENT RESOLUTION NO. 27, Prime Sponsor: Representative Clemente, providing for a study of the feasibility of constructing an east-west state route generally along the Snohomish-King county line, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, immediately following line 27 insert a new paragraph as follows:

"BE IT FURTHER RESOLVED, That the study shall include an effort to ascertain the amount of morning and evening peak hour traffic such a facility will contribute to the street and highway system of Seattle, and in particular the I-5 corridor, and shall further recommend any and all steps deemed reasonable which would modify such a facility so as to aid the Metro transit system and any other affected public transportation system;"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Ceccarelli, Clemente, Douthwaite, Gaines, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Patterson, Schumaker.

March 30, 1973

HOUSE CONCURRENT RESOLUTION NO. 28, Prime Sponsor: Representative Anderson, directing a study of fisheries resources vocational education programs, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Conner, Gilleland, Hansen, Hansey, Kalich, Kilbury, Schumaker, Tilly.

March 30, 1973

HOUSE CONCURRENT RESOLUTION NO. 37, Prime Sponsor: Representative Martinis, authorizing study of Chinook salmon fishing on the Columbia river, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Gilleland, Hansen, Hansey, Kalich, Kilbury, Schumaker, Tilly.

March 30, 1973

HOUSE CONCURRENT RESOLUTION NO. 38, Prime Sponsor: Representative Martinis, authorizing a study of off-reservation hunting and fishing rights, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Conner, Gilleland, Hansen, Hansey, Kalich, Kilbury, Schumaker, Tilly.

March 30, 1973

SENATE BILL NO. 2075, Prime Sponsor: Senator Wanamaker, revising the apportionment formula for the grade crossing protective fund, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Ceccarelli, Clemente, Douthwaite, Gaines, Gilleland, Hansen, Kraabel, Laughlin, Lysen, Patterson, Schumaker.

March 30, 1973

ENGROSSED SENATE BILL NO. 2153, Prime Sponsor: Senator Sandison, implementing the community college district professional negotiations act, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Maxie, Chairwoman; Goltz, Vice Chairman; Benitz, Charnley, Erickson, Freeman, Kraabel, Patterson, Rabel, Valle, Wilson, Wojahn.

March 30, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2365, Prime Sponsor of original bill: Senator Durkan, regulating emergency medical care and health services, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

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 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 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 10, section 17, line 2 of the engrossed bill, being line 1 of the printed substitute bill, after "driver and" insert "he"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Fortson, Freeman, Johnson, Kelley, May, Savage, Wojahn.

March 30, 1973

ENGROSSED SENATE BILL NO. 2490, Prime Sponsor: Senator Durkan, granting victims of crime compensation under certain conditions, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass 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"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Fortson, Freeman, Hendricks, Kelley, Matthews, May, Rabel, Savage, Zimmerman.

March 31, 1973

ENGROSSED SENATE BILL NO. 2840, Prime Sponsor: Senator Marsh, providing for reciprocal agreements with bordering states relating to the employment of workmen on public projects, reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, Freeman, Kopet, Matthews, May, Morrison, Parker.

March 30, 1973

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 108, Prime Sponsor: Senator Marsh, 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. Signed by Representatives Maxie, Chairwoman; Goltz, Vice Chairman; Benitz, Charnley, Erickson, Freeman, King, Kraabel, Patterson, Rabel, Valle, Wilson, Wojahn.

#### MOTION

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to Committee on Rules with the exception of HOUSE BILL NO. 808 to be rereferred to the Committee on Ways and Means - Appropriations.

The motion was carried.

#### MOTION

Mr. Charette moved that the Committee on Rules be relieved of SUBSTITUTE SENATE BILL NO. 2336 and that it be rereferred to the Committee on Ways and Means - Appropriations.



The motion was carried.

#### SECOND READING

HOUSE BILL NO. 316, by Representatives Luders, Zimmerman, Laughlin, North (Lois), Kraabel and O'Brien:

Providing for the registration and regulation of boats.

#### MOTION

On motion of Mrs. Hurley, Substitute House Bill No. 316 was substituted for House Bill No. 316, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 316 was read the second time.

The Clerk read the following amendment by Mr. Kuehnle:

On page 6, section 7, line 2 after "vessels" strike the remainder of subsection (8) and insert "or vessels twelve feet or less in length with propulsion machinery of not more than five horsepower or vessels in excess of twelve feet in length with propulsion machinery of not more than ten horsepower"

#### POINT OF ORDER

Mr. Luders: "I believe I have an amendment which comes before Representative Kuehnle's amendment. Mine would be on page 6, line 2."

The Speaker (Mr. O'Brien presiding): "Apparently the two amendments accomplish the same purpose. You strike the words 'of twelve feet or less in length' and Mr. Kuehnle's amendment strikes that and inserts some additional language. We thought it might be better to go with Mr. Kuehnle's amendment first and take yours after that, or perhaps if Mr. Kuehnle's amendment is adopted it won't be necessary to consider yours."

Mr. Kuehnle moved adoption of the amendment.

Mr. Kuehnle spoke in favor of the amendment and Representatives Hurley and Martinis spoke against it.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Charnley.

Mr. Charnley: "Mr. Martinis, I wonder if you could tell me what the registration fee is for federal registration?"

Mr. Martinis: "It would be \$6.00. If the Kuehnle amendment passed, these senior citizens that would be subjected to the federal regulation would pay \$6.00 if they

wanted to operate on a navigable or a federal body of water instead of the \$5.00 every two years proposed in this bill."

## POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Bluechel.

Mr. Bluechel: "Representative Kuehnle, what does this do to sailboats that are longer than twelve feet and yet do not use any mechanical propulsion?"

Mr. Kuehnle: "There is a special provision in the act relating to sailboats, and I don't think this amendment does anything to it."

Mr. Kuehnle spoke again in favor of the amendment and Mrs. Hurley spoke again in opposition to it.

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

Mr. Martinis spoke again in opposition to the amendment by Mr. Kuehnle to Substitute House Bill No. 316.

Mr. Hoggins spoke against the amendment.

## POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Lysen.

Mr. Lysen: "Mr. Martinis, I am curious about your remarks that on federal bodies of water you would have to pay a greater fee. Would this include any body of water where the Army Corps of Engineers has jurisdiction--navigable waters, such as Puget Sound, etc.?"

Mr. Martinis: "Yes, and also the very large amount of water in Eastern Washington. A lot of the lakes in Eastern Washington are used for irrigation projects. They are impoundments behind dams that are licensed by the federal government. They are bordered by a foreign country and the state of Washington, or by two states, or their rivers are navigable. I believe that the majority of these boats would have to carry a federal registration if this amendment passed, rather than the state registration, which would cost them \$6.00 instead of the \$5.00."

Mr. Lysen: "So by defeating this amendment, we are actually saving them one dollar?"

Mr. Martinis: "Many of the boats, yes."

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to Substitute House Bill No. 316, and the amendment was lost by the following vote: Yeas, 24; nays, 71; not voting, 3.

Voting yea: Representatives Amen, Anderson,

Barden, Bausch, Benitz, Berentson, Cunningham, Curtis, Freeman, Gilleland, Hansey, Juelling, Kelley, Knowles, Kopet, Kuehnle, Pardini, Randall, Schumaker, Shipoch, Smith, Swayze, Van Dyk, Warnke.

Voting nay: Representatives Adams, Bagnariol, Bauer, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Savage, Smythe, Sommers, Thompson, Tilly, Valle, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bluechel, Julin, Rabel.

Mr. Luders moved adoption of the following amendment:

On page 6, line 2 strike "of twelve feet or less in length"

Representatives Luders, Hurley and Bausch spoke in favor of the amendment, and Representatives Hoggins, Matthews and Paris spoke against it.

#### POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Anderson.

Mr. Anderson: "I own a 12-foot sail boat and I have it on Hood Canal. Would your amendment exclude me?"

Mr. Luders: "The amendment would not exclude you, but you would be excluded under another provision of the act."

Mr. Luders closed debate, speaking again in favor of the amendment.

The amendment by Mr. Luders to Substitute House Bill No. 316 was adopted on a rising vote.

Mr. Eikenberry moved adoption of the following amendment to Substitute House Bill No. 316:

On page 6, section 7, line 2 strike subsection (8)

Mr. Eikenberry spoke in favor of adoption of the amendment, and Representatives Luders and Hurley spoke against it.

The amendment by Mr. Eikenberry was not adopted.

Mr. Bluechel moved adoption of the following amendment:

On page 6, section 7, line 4 after "of" strike "twelve" and insert "sixteen"

Representatives Bluechel and Martinis spoke in favor of the amendment, and Representative Eikenberry spoke against it.

The amendment by Mr. Bluechel was not adopted.

Mr. Eikenberry moved adoption of the following amendment to Substitute House Bill No. 316:

On page 6, section 7, line 4 strike subsection (9)

Mr. Eikenberry spoke in favor of the amendment and Mr. Luders spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Mr. Hansey:

On page 4, section 4, line 18 strike "and scuba diving activities"

#### POINT OF ORDER

Mr. Nelson: "Mr. Speaker, I haven't heard any suspension of the rules, and I believe that Mr. Hansey's amendment would not be covered under Rule No. 130. We have gone past that section."

The Speaker (Mr. O'Brien presiding): "Speakers have ruled on several occasions when you read the last line of a bill that you can move back and forth and offer amendments at any point."

Mr. Hansey moved adoption of the amendment.

Representative Hansey spoke in favor of the amendment, and Representatives Martinis, Nelson, Hurley and Leckenby spoke against adoption of the amendment.

The amendment by Mr. Hansey was not adopted.

Mr. Berentson moved adoption of the following amendment to Substitute House Bill No. 316:

On page 7, section 11, beginning on line 12 delete the remainder of the section.

Mr. Berentson spoke, in favor of the amendment.

#### POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Martinis.

Mr. Martinis: "Representative Berentson, in your testimony you were talking about fair and equal treatment and not putting people out of business. If this language is struck, is the intent that every manufacturer, dealer or vessel livery would have to register each boat individually?"

Mr. Berentson: "No, he would register any boat that he actually used on a lake or perhaps as a demonstrator."

If that boat were stored in his place of business and not in the water, he would not register the boat at that time. And then it goes beyond that. For the small operator you are taking the first five boats, as I read it, and charging a fee of \$20.00, which is a pretty good blow to a small operator, and also an additional \$2.00 fee for every number over five. My thought is, why should he pay any more than a normal registration fee like any other citizen?"

Mr. Martinis: "May I ask one additional question? Actually what you are saying then is that there should not be any dealer licenses in effect. If this was stricken out he would have to pay \$5.00 for each vessel or boat?"

Mr. Berentson: "That's right, if he uses it as a demonstrator or if the boat is actually in use then he would pay the normal fee like anyone else. I think the real importance is subsection (5), the small operator of a vessel livery, where we exempt him from the \$20.00 charge plus the \$2.00 for every boat over five. I don't see the necessity of penalizing someone for being in business. He is paying all the other penalties in that case anyway."

Representatives Martinis and Hurley spoke against the amendment by Mr. Berentson.

#### POINT OF INQUIRY

Mrs. Hurley yielded to question by Mr. Berentson.

Mr. Berentson: "Maybe I misread subsection (5). Are you stating that the fee would be \$20.00--a flat \$20.00 and then \$2.00 for every boat over five? You are not suggesting \$20.00 per vessel to five, plus \$2.00?"

Mrs. Hurley: "No, it says 'may pay.' It doesn't say they have to. It says if they would like to pay this instead of the usual circumstances that apply to everybody else, that they 'may pay a biennial certificate of numbers fee of \$20.00.' That takes care of the two years for their whole operation, plus then the two dollars for each boat they they would be renting."

Mr. Berentson spoke again in favor of the amendment, and Mr. Charnley spoke against it.

The amendment by Mr. Berentson was not adopted.

#### MOTIONS

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

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Tuesday, April 3, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 3, 1973.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Kopet and Rabel who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend J. Alan Justad of the First United Methodist Church of Olympia.

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

## MESSAGES FROM THE SENATE

April 2, 1973

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2589,

ENGROSSED SENATE BILL NO. 2716,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 2, 1973

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2071,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 2, 1973

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 601, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## 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 Mr. Parker, the report of the Conference Committee on House Bill No. 601 was adopted and the committee was granted the powers of Free Conference.

#### INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2589, by Committee on Financial Institutions (Originally sponsored 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.

To Committee on Financial Institutions.

ENGROSSED SENATE BILL NO. 2716, by Senator Bottiger:

AN ACT Relating to state employees; and adding a new section to chapter 41.06 RCW.

To Committee on State Government.

#### REPORTS OF STANDING COMMITTEES

March 31, 1973

HOUSE BILL NO. 340, Prime Sponsor: Representative Morrison, implementing law relating to tuberculosis hospitalization and control, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Fortson, Hendricks, Jastad, Kelley, Matthews, May, Wojahn.

MINORITY recommendation: The substitute bill do not pass. Signed by Representatives Smythe, Zimmerman.

March 30, 1973

HOUSE BILL NO. 1015, Prime Sponsor: Representative Benitz, relating to reforestation taxation, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

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

"Section 1. Section 16, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.160 are each amended to read as follows:

(1) Land approved for classification as reforestation lands prior to May 21, 1971, pursuant to RCW 84.28.020 ((or RCW 84.32.030 prior to May 21, 1971 under chapter 84.28 RCW as reforestation lands or under chapter 84.32 RCW as forest lands)) and remaining classified as reforestation lands as of December 31, 1973 (hereinafter referred to as "remaining reforestation lands"), and the timber on such lands, shall be assessed and taxed in accordance with the applicable provisions of ((those chapters and shall not be subject to)) such chapter 84.28 RCW and this chapter((7)) 84.33 RCW and RCW 82.04.291 ((and 20A.47.130)) in the manner and with the modifications provided in this section, the purpose of which is to integrate over a period of years chapter 84.28 RCW into this chapter 84.33 RCW and RCW 82.04.291, and upon completion of such integration to terminate chapter 84.28 RCW. However, after May 21, 1971, no additional land shall be classified under chapter 84.28 ((or 84.32)) RCW.

(2) Notwithstanding any provision in RCW 84.28.090, all such remaining reforestation lands shall be placed on the assessment rolls as of January 1, 1974 in the manner and at the values established pursuant to RCW 84.33.110 and subsections (1) and (2) of RCW 84.33.120. In subsequent assessment years commencing with 1975, such lands shall be placed on the assessment rolls in accordance with all applicable provisions of this chapter 84.33 RCW, including the provisions relating to designation.

(3) Notwithstanding any provision of RCW 84.28.100 or 84.28.110:

(a) the stumpage rates or values to which the yield tax rates provided for in (c) and (d) of this subsection shall apply shall be those determined by the department of revenue pursuant to RCW 82.04.291(3);

(b) the yield tax imposed by RCW 84.28.110 shall be applicable only to timber cut on such remaining reforestation lands;

(c) the yield tax rate applicable to timber cut in 1973 on any parcel of such remaining reforestation lands shall be determined as provided in RCW 84.28.110;

(d) the yield tax rate applicable to timber cut in any year after 1973 on any parcel of such remaining reforestation lands shall be the rate which would have applied under RCW 84.28.110 had any timber been cut in 1973 on such parcel decreased three-quarters of one percent per year until such rate is within one percent of the excise tax rate applicable to harvesters of timber pursuant to RCW 82.04.291(1) (c), and for each subsequent year through 1981 such rate shall be equal to such excise tax rate, but the yield tax rate applicable to timber cut on any such parcel from 1974 through 1981 shall not be less than such excise tax rate; and

(e) with respect to timber harvested from such remaining reforestation lands on and after January 1, 1982, no yield tax shall be imposed pursuant to RCW 84.28.110 and the tax upon harvesters pursuant to RCW 82.04.291 shall, if



otherwise applicable, be imposed.

(4) For purposes of distributions from state timber tax fund B commencing with the second quarter of 1982 pursuant to RCW 84.33.080, the value of timber harvested from such remaining reforestation lands in 1976 and each year thereafter shall be determined by the department of revenue and included in the calculation of the harvest factor.

NEW SECTION. Sec. 2. The following acts or parts of acts are each repealed:

- (1) Section 84.28.050, chapter 15, Laws of 1961, section 5, chapter 214, Laws of 1963 and RCW 84.28.050;
- (2) Section 84.28.060, chapter 15, Laws of 1961, section 6, chapter 214, Laws of 1963 and RCW 84.28.060;
- (3) Section 7, chapter 214, Laws of 1963 and RCW 84.28.063; and
- (4) Section 8, chapter 214, Laws of 1963 and RCW 84.28.065."

On page 1, line 1 of the title after "Relating to" and before the period strike "reforestation taxation" and insert the following: "taxation of forest lands; amending section 16, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.160; repealing section 84.28.050, chapter 15, Laws of 1961, section 5, chapter 214, Laws of 1963 and RCW 84.28.050; repealing section 84.28.060, chapter 15, Laws of 1961, section 6, chapter 214, Laws of 1963 and RCW 84.28.060; repealing section 7, chapter 214, Laws of 1963 and RCW 84.28.063; and repealing section 8, chapter 214, Laws of 1963 and RCW 84.28.065"

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Benitz, Bluechel, Eikenberry, Erickson, Flanagan, Hurley, Kilbury, King, Kuehnle, Newhouse, Pardini, Williams.

April 2, 1973

HOUSE BILL NO. 1049, Prime Sponsor: Representative Parker, 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: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, May, Parker.

March 31, 1973

HOUSE BILL NO. 1055, Prime Sponsor: Representative Van Dyk, providing for the regulation of perishable packaged food goods, reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Benitz, Charette, Hansey, Haussler, Laughlin, Tilly, Van Dyk.

April 2, 1973

HOUSE CONCURRENT RESOLUTION NO. 48, Prime Sponsor: Representative Savage, honoring Senator Magnuson's work in the field of unemployment insurance, reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, Kopet, Matthews, May, Morrison, Parker.

March 30, 1973

SENATE BILL NO. 2040, Prime Sponsor: Senator Clarke, increasing age limit for applying gift tax exclusion, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Benitz, Eikenberry, Flanagan, Goltz, Hurley, King, Kuehnle, Newhouse.

April 2, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2227, Prime sponsor of original bill: Senator Woodall, increasing the number of superior court judges in certain counties, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, Smith, Sommers.

April 2, 1973

ENGROSSED SENATE BILL NO. 2270, Prime Sponsor: Senator Bottiger, allowing court to stay order declaring a person an habitual traffic offender if due to alcoholism and person is receiving treatment, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Smith, Sommers.

April 2, 1973

SENATE BILL NO. 2288, Prime Sponsor: Senator Woody, repealing records deposit requirement, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Smith, Sommers.

April 2, 1973

ENGROSSED SENATE BILL NO. 2382, Prime Sponsor: Senator Woody, pertaining to judicial retirement benefits, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, Smith, Sommers.

April 2, 1973

ENGROSSED SENATE BILL NO. 2502, Prime Sponsor: Senator Francis, implementing HJR 61, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

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

On page 5, line 29 of the title after "49.24.110;" strike everything through "50.20.030;" on line 31

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, Smith, Sommers.

## MOTIONS

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to Committee on Rules for second reading.

The motion was carried.

On motion of Mr. Thompson, HOUSE BILL NO. 896 was rereferred from the Committee on Education to the Committee on State Government.

On motion of Mr. Thompson, SENATE BILL NO. 2833 was rereferred from the Committee on State Government to the Committee on Ecology.

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

## SENATE AMENDMENTS TO HOUSE BILL

March 31, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 204

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, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Adams, the House concurred in the Senate amendments to Engrossed House Bill No. 204.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 204 as amended by the Senate.

Mr. Pardini spoke against passage of the bill and Mr. Perry spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Smythe.

Mr. Smythe: "Representative Pardini, I also was a 'yes' vote on the first passage through, but I am going to be a 'no' vote now. One of the concerns I have is the effect on hospitals and the present sources providing this kind of testing. Do you have any feel for that, as to what it will do to these areas of present service?"

Mr. Pardini: "I would suspect, Representative Smythe--I'm not absolutely certain on it, but the evidence (the conversations I have had with members of the medical profession) is that it is not going to affect hospitals that presently do this, other than to the extent that practitioners, M.D.'s, who would own an interest in some other type of laboratory, would then suggest that the persons go to that particular laboratory rather than going to the existing facilities in the hospital. I think that what we have is a built-in profit motive for referral to a specific unit to do the type of testing that is necessary."

Representative Smythe spoke against passage of the bill, and Representatives Valle and Leckenby spoke in favor of it.

Mr. Pardini spoke again in opposition to the bill, and Mr. Perry spoke again in favor of its passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 204 as amended by the Senate, and

the bill passed the House by the following vote: Yeas, 68; nays, 27; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Jueling, Julin, Kraabel, Kuehnle, Matthews, May, Nelson, North L., Pardini, Pullen, Schumaker, Smythe, Wilson.

Not voting: Representatives Kopet, Rabel, and Mr. Speaker.

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

#### MOTION

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

#### SECOND READING

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.

The House resumed consideration of Substitute House Bill No. 316 on second reading. (For previous House action, see Journal for twenty-fifth day, Ex. Sess., April 2, 1973.)

Mr. Kuehnle moved adoption of the following amendment:

On page 1, section 2, line 21 following "water" insert ": PROVIDED, That surfboards, aquaplanes, water skis and other similar devices used only indirectly as a means of transportation shall not be included within this definition"

Mr. Kuehnle spoke in favor of the amendment and Mr. Martinis spoke against it.

Mr. Kuehnle spoke again in favor of the amendment, and Mrs. Hurley spoke against it.

The amendment by Mr. Kuehnle was not adopted.

The Clerk read the following amendment by Mr. Barden:

On page 7, section 12, line 28 after "funds" and before the period insert ": PROVIDED, That no funds shall be expended from the boating safety account pursuant to this act until the guarantee per weighted pupil in the common schools is equal to or greater than \$500 per year"

POINT OF ORDER

Mrs. Hurley: "Mr. Speaker, I would like to have you rule on the scope and object of this amendment. It seems to have no relation to the bill before us."

POINT OF ORDER

Mr. Barden: "Mr. Speaker, isn't it more timely to have Representative Hurley's point of order raised after the amendment has been moved?"

RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "According to Reed's Rules 111 and 112, a point of order can be raised as soon as the Clerk reads the question.

"As to the point of order raised by Mrs. Hurley on the amendment by Mr. Barden, I am going to rule that the amendment is out of order. It is not germane or relevant to the question of boating safety in that it pertains to the problems of education. Your amendment is ruled out of order."

The Clerk read the following amendment by Mr. Barden:

On page 8, section 13, line 6 after "(3)" strike all the material through "areas" on line 7 and insert:

"To the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief during calendar year 1975 and to that end the distribution shall be on the basis of an equal allocation per full-time equivalent student to each local school district which presents to the voters of said district a request for excess levies in 1975 which is equal to or less than the amount voted in calendar 1974: PROVIDED, That no funds shall be distributed to a local school district unless the dollar amount of excess levies per full-time equivalent enrollee remains constant or declines with the calculation based upon calendar year 1974 excess levies divided by the full-time equivalent enrollment as reported for October, 1973: PROVIDED FURTHER, That only local school districts which had voted excess levies for collection in calendar year 1974 shall be eligible for funds under this section"

POINT OF ORDER

Mrs. Hurley: "Mr. Speaker, I would like to have you rule on the scope and object of this amendment also. It doesn't seem to fit under the title of relating to vessels and boating. His amendment relates to an entirely different

subject."

Mr. Barden: "Mr. Speaker, the amendment merely speaks to the distribution of a portion of the revenue derived from this new tax, and it is just, I believe . . ."

The Speaker (Mr. O'Brien presiding): "I understand what your amendment does, Mr. Barden. Apparently it falls within the same scope as your prior amendment. It is not in conformity with Reed's Rule 160. This amendment just isn't germane to the question of boating safety. Your amendment is declared out of order."

#### PERSONAL PRIVILEGE

Mr. Beck: "Mr. Speaker, ladies and gentlemen of the House: I think like every other member of this body sitting here, trying to conduct an orderly process of business, we are getting sick and tired of all these diverting amendments being introduced by Representative Barden over there."

The Speaker (Mr. O'Brien presiding): "Mr. Beck, I believe you are a little bit out of order."

The Clerk read the following amendment by Mr. Barden:

On page 10, after line 2, add a new section as follows:

"NEW SECTION. Sec. 22. This 1973 act shall become effective when the guarantee per weighted pupil in the common schools equals or exceeds \$500 per annum."

#### POINT OF ORDER

Mrs. Hurley: "This is another amendment, Mr. Speaker, that I believe is not germane to the bill."

The Speaker (Mr. O'Brien presiding): "Your point of order is well taken, Mrs. Hurley. Reed's Rule No. 160 is as applicable to this amendment as it was to the other two amendments. The amendment is declared out of order."

#### PERSONAL PRIVILEGE

Mr. Barden: "I hope that the ladies and gentlemen of the House of Representatives will be patient with me on this particular issue, Representative Beck and others, because I find myself as a legislator from a district paying very high special levies--I find myself unable..."

The Speaker (Mr. O'Brien presiding): "You are out of order, Mr. Barden."

Substitute House Bill No. 316 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 316 was placed on final passage.

Representatives Luders, Hurley and Chatalas spoke in favor of passage of the bill, and Representative Barden spoke against it.

## POINT OF INQUIRY

Mr. Luders yielded to question by Mrs. North (Lois).

Mrs. North (Lois): "As one of the sponsors of the original boating bill drafted by the Legislative Council, the primary purpose of that bill was a strong program of boating safety. Representative Luders, will you tell me what is actually in this bill as far as a program of boating safety is concerned?"

Mr. Luders: "Yes, but I will be brief. The program is designed to accomplish safety in two main areas: First of all, is a commitment from the administrative area that is going to be running the program. They intend to set up a boating safety educational program through the community colleges, and in other areas around the state on a voluntary basis with a minimal or no-charge kind of course offering. Secondly, the local governments will submit a master plan of enforcement in boating safety regulations which will have to be approved in accordance with Coast Guard regulations in this bill. Hopefully, out of the two will come an opportunity for people to (1) become educated as to the dangers of boating; and (2) become educated to the fact that they can be arrested if they are erratic and irresponsible."

Mrs. North spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Zimmerman, I think that most of the members didn't think I was serious when I was concerned about water skis and aquaplanes. As a matter of legislative intent, would you indicate to me whether those devices which are capable of transporting a person from one place to another, and which are indirectly motorized, would be included in the terms of the bill?"

Mr. Zimmerman: "Well, I do feel that they are under the terms of the bill and should be considered as you have indicated in your earlier amendment. I personally feel that there was nothing wrong with your amendment. I do feel that they, under the definition, could be termed 'vessels' and thereby licensable. I would hope that the intent and understanding would be that they would not be separated out. I don't know if that in any way clarifies it."

## POINT OF INQUIRY

Mr. Luders yielded to question by Mrs. Hurley.

Mrs. Hurley: "Mr. Luders, in order to clear up kind



of a muddy situation here caused by the last question, would you tell me whether your intent was to include aquaplanes and things of this sort under the term 'vessel' as used in Engrossed Substitute House Bill No. 316?"

Mr. Luders: "It was not my intent."

Mr. Randall spoke against passage of the bill, and Mr. Zimmerman spoke in favor of it.

#### POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Luders, in my district we have beautiful Lake Chelan, and we do have a commercial enterprise operating passenger boats on there. They tell me they are presently being inspected by the Department of Labor and Industries, and I think also the Coast Guard. Is this going to put this business under another regulatory agency?"

Mr. Luders: "The answer is 'no, it will not,' because that is a documented boat. The Coast Guard would take care of it, and WISHA would take care of the labor and industries part."

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Pullen.

Mr. Pullen: "The federal boating safety act has been widely mentioned during debate on this particular measure. Do you feel that the federal boating safety act, or at least parts of it, may be unconstitutional under the Tenth Amendment to the United States Constitution?"

Mr. Kuehnle: "Yes, I think that we touched on this area yesterday. And one of the big selling points that has been used on this bill, and one of the points that has been used in beating down amendments to this bill, has been the old saw 'We've got to comply with federal regulations.' I still pretty much subscribe to the Tenth Amendment to the Constitution of this United States passed back in 1791, and I don't think that the regulation of boats is one of those delegated responsibilities that was handed to the federal government."

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 316, and the bill passed the House by the following vote: Yeas, 70; nays, 26; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas,

Clemente, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Goltz, Hansen, Hansey, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Pullen, Savage, Shinpoch, Smythe, Sommers, Thompson, Tilly, Valle, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Anderson, Barden, Bausch, Beck, Conner, Cunningham, Ehlers, Freeman, Gaspard, Gilleland, Haussler, Hayner, Hendricks, Jueling, Kelley, King, Kuehnle, Martinis, Parker, Polk, Randall, Schumaker, Smith, Swayze, Van Dyk, Warnke.

Not voting: Representatives Kopet, Rabel.

Engrossed Substitute House Bill No. 316, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 323, by Representatives Fortson, Clemente, Bender, Hansen and North (Frances):

Providing mandatory sentencing for certain violations involving controlled substances.

#### MOTION

On motion of Mr. Kelley, Substitute House Bill No. 323 was substituted for House Bill No. 323, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 323 was read the second time.

Ms. Sommers moved adoption of the following amendments by Representatives Sommers, Parker, Jastad, Kopet and Hendricks:

On page 3, section 2, line 4 after "substance" and before the period insert "or counterfeit substance classified in Schedules I or II, except leaves and flowering tops of marijuana"

On page 3, section 2, strike lines 13 and 14.

Representatives Sommers and Hendricks spoke in favor of adoption of the amendments.

#### POINT OF INQUIRY

Mr. Hendricks yielded to question by Mr. Kelley.

Mr. Kelley: "You bring in here Schedules I or II. Are there any substances which to your knowledge are, what we might say, street traffic drugs, for instance barbiturates or something of that nature not covered in Schedules I or II, but which are predominately prevalent on the street?"

Mr. Hendricks: "All barbiturates and barbituric acid derivates are found in Classes III and IV. I think we are talking about the hard narcotic drugs where there is a great level of addiction. I think that particularly heroin is the kind of drug we are after."

Mr. Kelley: "Are there barbiturates listed in Schedules I and II, or are barbiturates simply in III, IV or V?"

Mr. Hendricks: "There are no barbiturates listed in Classes I and II. They are all in Classes III and IV."

The amendments by Representative Sommers and others were adopted.

Mr. Kelley moved adoption of the following amendment by Representatives Kelley and Barden:

On page 3, section 2 (2), line 17 after "offense" insert "": PROVIDED, That any person convicted of a violation of subsection (1) of this section by selling any opiate as defined in RCW 69.50.101 (p) shall receive a mandatory sentence of five years in a correctional facility of the department of social and health services and no judge of any court shall suspend or defer the sentence imposed for such violation"

Representative Kelley spoke in favor of adoption of the amendment, and Representatives Fortson, Smith, Hayner and Charette spoke against it.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Lysen.

Mr. Lysen: "Representative Charette, I am concerned about the fact that if there is a mandatory sentence, it may be the tendency of the jury or the judge to let some people off completely because of the severity, rather than giving them a milder sentence. I know you are a former prosecutor and I would appreciate your comments in this regard."

Mr. Charette: "Mr. Lysen, I think that under our system of justice (which I think is a good one, to be tried by twelve of your peers,) there is no question but that the jury takes into consideration the age of the defendant, the situation of the defendant, and all of these other things besides the evidence. And there is a possibility that in a hard case (and it is the hard case that makes bad law) the jury would turn someone loose. More importantly, I think that in each case you would have a jury trial. An attorney would be a fool to allow a client to plead guilty when he knows he is going to get five years in the penitentiary. He might as well take his chances with the jury. There is a maxim in the law; it is true; and it is part of our system of justice: 'It is better to let ninety-nine murderers go free than to convict one innocent man'."

## POINT OF INQUIRY

Mr. Barden yielded to question by Mr. Smythe.

Mr. Smythe: "Representative Barden, I am a little confused on what the last couple of speakers have spoken to. Are we talking about all drugs, or just heroin, or what? What does your amendment deal with?"

Mr. Barden: "Representative Smythe, the amendment that is under discussion deals only with the selling of heroin, or other opiates. It doesn't deal with those who may sell LSD or barbiturates or speed or hashish or amphetamines. It doesn't deal even with those who have heroin in their possession. What this amendment is directed to are those who are selling heroin--a life-destroying addicting drug. A drug that is a business with these people--where they make thousands of dollars a month selling a drug that destroys lives. We are saying by this amendment that those people should be put out of business and behind bars and only those people who sell the opiates. The bill would still provide for a sentence of from ninety days up to five years for those selling the other lesser damaging drugs."

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

The amendment by Representatives Barden and Kelley to Substitute House Bill No. 323 was lost on a rising vote.

Mr. Barden moved adoption of the following amendment:

On page 3, section 2, line 20 after "of" strike "five" and insert "twenty"

Mr. Barden spoke in favor of the amendment and Mr. Swayze spoke against it.

Mr. Knowles spoke against the amendment and also against the next amendment by Mr. Barden to the same line.

## POINT OF ORDER

Mr. Barden: "Mr. Speaker, I had not put the second amendment on that page yet, and it has not yet been discussed. Representative Knowles is not speaking to the amendment which is merely to strike 'five' and insert 'twenty.' The second half will be moved and debated after this amendment is decided."

The Speaker (Mr. O'Brien presiding): "Mr. Knowles, will you adhere to the amendment by Mr. Barden which strikes 'five' and inserts 'twenty'?"

Mr. Knowles: "On my desk, the amendment is all in one."

The Speaker (Mr. O'Brien presiding): "I'm sorry. We have separated those amendments and renumbered them."

Mrs. Fortson spoke against adoption of the amendment by Mr. Barden, and Mr. Kuehnle spoke in favor of the amendment.

The amendment by Mr. Barden was not adopted.

Ms. Sommers moved adoption of the following amendment by Representatives Sommers, Swayze, Maxie, Smith, Eng and Parker to Substitute House Bill No. 323:

On page 3, section 2, line 20 after "of" strike "five" and insert "two"

Representative Sommers spoke in favor of the amendment, and Representatives Kelley and Eikenberry spoke against it.

#### POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. Smith.

Mr. Smith: "Representative Eikenberry, could you tell me what, as a practical matter, the mechanics of the parole board are, taking into consideration how long it would take the parole board to let someone out on parole, for instance if a two-year mandatory sentence were set?"

Mr. Eikenberry: "I would have to talk from some very quick checking I have done. I was very interested in the use of the word 'mandatory' in here. The best advice I have been able to get on an informal basis from the attorney general's office is that this would not necessarily dictate to the parole board that the person must be there for five years. To directly answer your question, I have seen a case of one burglary defendant who was convicted and was back out on the street from the institution in less than one year. If you were asking as to the processing time, then we are talking in terms of a matter of forty-five days."

Mr. Smith spoke in favor of adoption of the amendment, and Mr. Bender spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Sommers, Swayze, Maxie, Smith, Eng and Parker to Substitute House Bill No. 323, and the amendment was lost by the following vote: Yeas, 19; nays, 72; not voting, 7.

Voting yea: Representatives Blair, Bluechel, Charnley, Douthwaite, Eng, Gallagher, Goltz, King, Maxie, Moon, North F., Parker, Randall, Shinpoch, Smith, Sommers, Swayze, Valle, Williams.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Ceccarelli, Chatalas, Clemente, Conner,

Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Patterson, Polk, Pullen, Savage, Schumaker, Smythe, Tilly, Warnke, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Charette, Kopet, Perry, Rabel, Thompson, Van Dyk, and Mr. Speaker.

Mr. Barden moved adoption of the following amendment:

On page 3, section 2, line 20 after "in" strike "a correctional facility of the department of social and health services" and insert "the state penitentiary"

Representatives Barden and Hurley spoke in favor of the amendment, and Representative Knowles spoke against it.

#### POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Barden.

Mr. Barden: "Representative Knowles, you are chairman of the committee that drafted this substitute bill, and are therefore probably most responsible for it coming out in the form that it did. Can you tell me why on line 17 you provide that a first offender must go to the state penitentiary, but that a second offender who, after serving his first sentence, has been convicted of a subsequent crime of selling dope should not be required to go to the state penitentiary?"

Mr. Knowles: "What page are you talking about?"

Mr. Barden: "Page 3, lines 15 through 17 read: 'Any person convicted of a violation of subsection (1) of this section shall receive a sentence of not more than five years in the state penitentiary for the first offense.' But then down the page, you say that for a second offense he doesn't have to go to the penitentiary. I am wondering about the logic of that and your reasoning for constructing the bill in such a manner. My amendment would provide the consistency and continuity of punishment by saying for a second offense he would likewise go to the penitentiary."

Mr. Knowles: "I can't answer that. Representative Kelley, the vice chairman of the committee, advises me that in putting these bills into a substitute bill the error was made."

Mr. Kelley: "I was just going to state as far as the distinction between the two, this was created when we created the substitute bill. This took different provisions from different bills. The mandatory provisions came from your bill, Representative Barden, another came from the initial House Bill No. 323, and the other came from the third bill. The substitute bill does represent a

hybrid of three bills, and this would be the reason for the difference in wording between the two, but the distinction itself is not detrimental to the bill."

Representatives Charette and Parker spoke against adoption of the amendment by Mr. Barden, and Representatives May and Smythe spoke in favor of it.

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

MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

-----  
AFTERNOON SESSION  
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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Kopet, Maxie and Rabel who were excused.

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

The Speaker called the House to order.

MOTION

On motion of Mr. Thompson, the House recessed until 7:30 p.m.

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EVENING SESSION  
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The House was called to order at 7:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bausch, Eng, Maxie and Rabel.

The Speaker assumed the Chair.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 204,  
SUBSTITUTE HOUSE BILL NO. 351,  
SENATE BILL NO. 2071.

## MOTION

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

## MESSAGES FROM THE GOVERNOR

April 3, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on April 3, 1973, Governor Evans approved the following House Bill entitled:

ENGROSSED HOUSE BILL NO. 291: Prohibiting private appraising by assistant and deputy assessors.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel.

## MESSAGE FROM THE SENATE

April 3, 1973

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, and requests the House for a conference thereon, and the President has appointed as members of the Conference Committee: Senators Mardesich, Bailey, Lewis (Harry), and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Charette, the House granted the request of the Senate for a conference on Engrossed Senate Concurrent Resolution No. 125.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Perry, Charette and Swayze as members of the Conference Committee on Engrossed Senate Concurrent Resolution No. 125.

## 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 Mr. Charette, the report of the Conference Committee on Engrossed Senate Concurrent Resolution No. 125 was adopted and the committee was granted the power of Free Conference.

#### REPORT OF CONFERENCE COMMITTEE

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:

Beginning on page 2, line 15 after "fault;" strike the balance of the paragraph and 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 Newhouse, Beck and Perry.

#### MOTION

On motion of Mr. Beck, the report of the Conference Committee on Engrossed Senate Bill No. 2278 was adopted and the committee was granted the powers of Free Conference.

#### MOTION

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

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 323, by Committee on Judiciary (Originally sponsored by Representatives Fortson, Clemente, Bender, Hansen and North [Frances]):

Providing mandatory sentencing for certain violations involving controlled substances.

The House resumed consideration of Substitute House Bill No. 323 on second reading. The Speaker stated the question before the House to be the following amendment by Mr. Barden:

On page 3, section 2, line 20 after "in" strike "a correctional facility of the department of social and health services" and insert "the state penitentiary"

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Barden to Substitute House Bill No. 323, and the amendment was lost by the following vote: Yeas, 18; nays, 73; not voting, 7.

Voting yea: Representatives Bagnariol, Barden, Berentson, Cunningham, Curtis, Eikenberry, Freeman, Gilleland, Hansey, Hurley, Jueling, Kuehne, Pardini, Paris, Polk, Pullen, Schumaker, Smythe.

Voting nay: Representatives Adams, Amen, Anderson, Bauer, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F.,

North L., O'Brien, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.  
Not voting: Representatives Bausch, Eng, Flanagan, Maxie, Rabel, Tilly, Zimmerman.

On motion of Mr. Parker, the following amendment was adopted:

On page 3, section 2, line 17 delete "the state penitentiary" and insert "a correctional facility of the department of social and health services"

Mr. Nelson moved adoption of the following amendment:

On page 3, section 2, line 21 after "services" insert "or state penitentiary,"

Mr. Nelson spoke in favor of the amendment and Mr. Parker spoke against it.

The amendment by Mr. Nelson was not adopted.

Mr. Barden moved adoption of the following amendment:

On page 3, section 2, line 23 after "the" strike "second or subsequent"

Mr. Barden spoken in favor of the amendment.

The amendment was not adopted.

Mr. Leckenby moved adoption of the following amendments by Representatives Leckenby and Smythe:

On page 3, section 2, line 18 after "second" and before "cause" strike "or subsequent"

On page 3, line 24 after "section." add "Any person convicted of a third or subsequent cause, the sale having transpired after prosecution and conviction on two or more prior causes, of subsection (1) of this section shall receive a mandatory sentence for the remainder of that person's life in a correctional facility of the department of social and health services and no judge of any court shall suspend or defer the sentence imposed for the third or subsequent violation of subsection (1) of this section: PROVIDED, That, no privileges of parole, probation, reduction of sentence or outside programs without physical restraints such as work release, furlough or any others shall be allowed such person: PROVIDED, FURTHER, That the board of prison terms and paroles under RCW 9.95.040 shall not reduce the minimum term imposed for a violation under this subsection."

Mr. Leckenby spoke in favor of the amendments, and Representatives Kelley and Charette spoke against them.

Mr. Leckenby spoke again in favor of the amendments, and Mr. Smythe closed debate speaking in favor of the amendments.

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

## ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representatives Leckenby and Smythe to Substitute House Bill No. 323, and the amendments were lost by the following vote: Yeas, 34; nays, 55; not voting, 9.

Voting yea: Representatives Amen, Barden, Beck, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jueling, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Smythe, Warnke.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hayner, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Lysen, Matthews, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bausch, Eng, Martinis, Maxie, Morrison, Rabel, Swayze, Tilly, Wilson.

Mr. Hendricks moved adoption of the following amendment by Representatives Hendricks, Kelley, Patterson and Garrett:

On page 3, section 2, line 24 after "section." insert a new subsection to read as follows:

"(3) Any person convicted of a violation of subsection (1) of this section by selling heroin shall receive a mandatory sentence of two years in a correctional facility of the department of social and health services and no judge of any court shall suspend or defer the sentence imposed for such violation. Any person convicted on a second or subsequent sale of heroin, the sale having transpired after prosecution and conviction on the first cause of the sale of heroin shall receive a mandatory sentence of ten years in a correctional facility of the department of social and health services and no judge of any court shall suspend or defer the sentence imposed for this second or subsequent violation: PROVIDED, That the board of prison terms and paroles under RCW 9.95.040 shall not reduce the minimum term imposed for a violation under this subsection."

Renumber the remaining subsections consecutively

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

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

Representatives Pullen and Kelley spoke in favor of the amendment, and Representative Smith and Fortson spoke against it.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Hendricks, Kelley, Patterson and Garrett to Substitute House Bill No. 323, and the amendment was adopted by the following vote: Yeas, 53; nays, 41; not voting, 4.

Voting yea: Representatives Amen, Anderson, Bagnariol, Barden, Bauer, Bender, Benitz, Berentson, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Flanagan, Freeman, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jueling, Kalich, Kelley, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Matthews, May, Morrison, Nelson, Newhouse, North F., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Smythe, Tilly, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Beck, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Douthwaite, Erickson, Fortson, Gaines, Gallagher, Goltz, Hayner, Jastad, Johnson, Julin, Kilbury, King, Lysen, Martinis, McCormick, Moon, North L., O'Brien, Parker, Perry, Randall, Savage, Shinoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bausch, Eng, Maxie, Rabel.

Substitute House Bill No. 323 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 323 was placed on final passage.

Mrs. Fortson spoke in favor of passage of the bill, and Mr. Swayze spoke against it.

## POINT OF INQUIRY

Mr. Kelley yielded to question by Mr. Barden.

Mr. Barden: "Representative Kelley, Representative Swayze has indicated that it is unlikely that this bill would have any dampening effect or any impact on the drug problem. I wonder if you, from your vantage point on the Judiciary Committee and as a practicing attorney in Pierce County, could offer your opinion on that subject?"

Mr. Kelley: "I would take exception to Representative Swayze's remarks for several reasons. Number one, there was a great deal of testimony in the first hearing before the committee addressing itself to exactly what would happen if we had mandatory drug sentences there. Some people from the King County sheriff's office who have been working in this field, and actually are closer to the people that are involved in drug traffic than anybody else in our society, and know these people, stated definitely there would be a dampening effect on their activities. Secondly, I think there is something we haven't discussed here, and that is the mobility of the people that deal in

drugs. The very hard drug sellers can be found moving constantly between Vancouver, British Columbia, and down as far as San Diego. They are a very highly mobile group and highly responsive to what they call heat. When the heat is on they get up and move. I think by this bill we will be making a very strong statement about the temperature of the heat, as it were, in the state of Washington, and the temperature is going to go up. And many of these people who deal in these drugs are simply going to find it more expedient to move to other states where it isn't quite so hot. I don't know if that answers your question, Representative Barden, but for those reasons I would urge your adoption of this bill."

Representatives Barden and Eikenberry spoke in favor of passage of the bill, and Representatives King and Charette spoke against it.

Mr. Beck demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 323, and the bill passed the House by the following vote: Yeas, 69; nays, 25; not voting, 4.

Voting yea: Representatives Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Ceccarelli, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Polk, Pullen, Savage, Schumaker, Smythe, Tilly, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Blair, Bluechel, Brown, Charette, Charnley, Douthwaite, Erickson, Goltz, Julin, King, Lysen, Moon, Parker, Perry, Randall, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Williams, Wojahn.

Not voting: Representatives Bausch, Eng, Maxie, Rabel.

Engrossed Substitute House Bill No. 323, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 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.



Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendments see Journal for thirty-ninth day, February 15, 1973.)

The bill was read the second time.

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

House Bill No. 474 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 474 was placed on final passage.

Representatives Smith and Brown spoke in favor of the bill.

Mr. Beck demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 474, and the bill passed the House by the following vote: Yeas, 85; nays, 9; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cunningham, Eikenberry, Flanagan, Freeman, Hurley, Kopet, Kuehnle, Polk, Schumaker.

Not voting: Representatives Bausch, Eng, Maxie, Rabel.

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

HOUSE BILL NO. 607, by Representatives Gallagher, McCormick, Knowles and Gaines:

Regulating tow trucks.

## MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 607 on second reading, and the bill was ordered placed on today's calendar following House Bill No. 1034.

HOUSE BILL NO. 705, by Representative Bagnariol:

Permitting a health care service subscriber ten days to reject a health care services contract.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments see Journal for twentieth day, Ex. Sess., March 28, 1973.)

The bill was read the second time.

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

House Bill No. 705 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 705 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 705, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bausch, Eng, Maxie, Rabel.

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.

HOUSE BILL NO. 894, by Representative King:

Relating to elections, voting and voter registration.

## MOTION

Mr. King moved that Substitute House Bill No. 894 be substituted for House Bill No. 894, and the substitute bill be placed on the calendar for second reading.

Mr. Barden spoke against the motion and Mr. King spoke in favor of it.

The motion by Mr. King was carried.

Substitute House Bill No. 894 was read the second time.

On motion of Mr. Conner, the following amendment to Substitute House Bill No. 894 by Representatives Conner and King was adopted:

On page 1, section 1, line 18 after the period strike the remainder of the sentence to and including line 23.

Mr. Brown moved adoption of the following amendment to Substitute House Bill No. 894 by Representatives Pardini and Brown:

On page 2, section 4, line 20 strike all of section 4.

Mr. Brown spoke in favor of the amendment, and Mr. King spoke against it.

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

Representatives Pardini and Kraabel spoke in favor of adoption of the amendment, and Representative Parker spoke against it.

Mr. Brown spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Pardini and Brown to Substitute House Bill No. 894, and the amendment was lost by the following vote: Yeas, 42; nays, 51; not voting, 5.

Voting yea: Representatives Amen, Barden, Beck, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Randall, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bender, Ceccarelli, Charette, Charnley,

Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Savage, Shinpoch, Smith, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bausch, Eng, Maxie, Rabel, Sommers.

Substitute House Bill No. 894 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 958, by Representative Gaines:

Authorizing use of forty foot school buses under specific limitations.

The bill was read the second time.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and House Bill No. 958 be placed on final passage.

The motion was lost on a rising vote.

House Bill No. 958 was passed to Committee on Rules for third reading.

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.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendment see Journal for eleventh day, Ex. Sess., March 19, 1973.)

The bill was read the second time.

On motion of Mr. Bagnariol, the committee amendment was adopted.

The Clerk read the following amendment by Mr. Barden:

On page 1, section 1, line 10 after "funds" and before the period insert ": PROVIDED, That \$90,000.00 of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief during calendar year 1975 and to that end the distribution shall be on the basis of an equal allocation per full-time equivalent student to each local school district which presents to the voters of said district a request for excess levies in 1975 which is equal to or less

than the amount voted in calendar 1974: PROVIDED, That no funds shall be distributed to a local school district unless the dollar amount of excess levies per full-time equivalent enrollee remains constant or declines with the calculation based upon calendar year 1974 excess levies divided by the full-time equivalent enrollment as reported for October, 1973: PROVIDED FURTHER, That only local school districts which had voted excess levies for collection in calendar year 1974 shall be eligible for funds under this section"

RULING BY THE SPEAKER

The Speaker: "The Speaker rules that your point of order is well taken, Mr. Beck, in that the amendment is beyond the scope and object of the bill. Therefore, the amendment is out of order."

House Bill No. 1007 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1007 was placed on final passage.

The motion was carried on a rising vote.

Mr. Kilbury spoke in favor of passage of the bill, and Mr. Barden spoke against it.

Mr. Kilbury spoke again in favor of the bill.

Representatives Hansen, Moon and Johnson spoke in favor of passage of the bill, and Representative Flanagan spoke against it.

Mr. Hansen spoke again in favor of the bill, and Mr. Flanagan spoke again in opposition to it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1007, and the bill passed the House by the following vote: Yeas, 65; nays, 29; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Parker, Patterson, Perry, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Barden, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hoggins, Juelling, Julin, Kelley, Kopet, Kraabel, Lysen, Matthews, North L., Paris, Polk, Pullen, Shinpoch,

Warnke.

Not voting: Representatives Benitz, Eng, Maxie, Rabel.

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.

HOUSE BILL NO. 1034, by Representatives Goltz, Brown, King, North (Lois) and Savage:

Making changes in the procedures for distribution of voter registration lists.

#### MOTION

On motion of Mr. King, Substitute House Bill No. 1034 was substituted for House Bill No. 1034, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1034 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1034 was placed on final passage.

Mr. Goltz spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1034, and the bill passed the House by the following vote: Yeas, 88; nays, 3; not voting, 7.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Hayner, Hoggins.

Not voting: Representatives Douthwaite, Eng, Jueling, Kelley, Maxie, Rabel, Smith.

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.

MESSAGE FROM THE SENATE

April 3, 1973

Mr. Speaker:

The Senate 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.

Sidney R. Snyder, Secretary.

MOTIONS

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

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Wednesday, April 4, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

-----  
 TWENTY-SEVENTH DAY  
 -----

-----  
 MORNING SESSION  
 -----

House Chamber, Olympia, Wash., Wednesday, April 4, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Rabel, Savage and Valle who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend J. Alan Justad of the First United Methodist Church of Olympia.

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

MESSAGES FROM THE SENATE

April 3, 1973

Mr. Speaker:

The Senate has passed:

                  SUBSTITUTE SENATE BILL NO. 2264,  
                   ENGROSSED SENATE BILL NO. 2300,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2374,  
                   ENGROSSED SENATE BILL NO. 2584,  
                   ENGROSSED SENATE BILL NO. 2614,  
                   SENATE BILL NO. 2672,  
 SUBSTITUTE SENATE BILL NO. 2736,  
 SUBSTITUTE SENATE BILL NO. 2739,  
                   SENATE BILL NO. 2835,  
                   SENATE BILL NO. 2890,

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127.  
 and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 3, 1973

Mr. Speaker:

The Senate has passed:

                  REENGROSSED HOUSE BILL NO. 84,  
                   ENGROSSED 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.

Sidney R. Snyder, Secretary.



April 3, 1973

Mr. Speaker:

The Senate has passed:  
SUBSTITUTE SENATE BILL NO. 2120,  
SUBSTITUTE SENATE BILL NO. 2447,  
ENGROSSED SENATE BILL NO. 2468,  
SENATE JOINT MEMORIAL NO. 123,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 3, 1973

Mr. Speaker:

The Senate has passed:  
SENATE BILL NO. 2189,

and the same is herewith transmitted:

Sidney R. Snyder, Secretary.

April 3, 1973

Mr. Speaker:

The Senate has passed:  
ENGROSSED HOUSE BILL NO. 225,  
HOUSE BILL NO. 668,  
HOUSE BILL NO. 746,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 3, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2293, and has passed the bill as amended by the House, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 3, 1973

Mr. Speaker:

The President has signed:  
SENATE BILL NO. 2293,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1105, by Representatives Luders, Zimmerman, Kilbury and Johnson:

AN ACT Relating to water rights; amending section 14, chapter 284, Laws of 1969 ex. sess. and RCW 90.14.051; and declaring an emergency.

To Committee on Ecology.

HOUSE BILL NO. 1106, by Representative Sommers:

AN ACT Relating to sewer and water districts; amending section 1, chapter 139, Laws of 1971 ex. sess. and RCW 56.02.060; and amending section 2, chapter 139, Laws of 1971 ex. sess. and RCW 57.02.040.

To Committee on Local Government.

SUBSTITUTE SENATE BILL NO. 2120, by Committee on Higher Education (Originally sponsored 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.

To Committee on Higher Education.

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.

To Committee on Judiciary.

SUBSTITUTE SENATE BILL NO. 2264, by Committee on Transportation and Utilities (Originally sponsored 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; defining crimes; and prescribing penalties.

To Committee on Transportation and Utilities.

ENGROSSED 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.

To Committee on Judiciary.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2374, by Committee on Parks and Recreation (Originally sponsored by Senators Gardner, Murray and Peterson [Ted]):

AN ACT Relating to certain public lands; amending section 2, chapter 217, Laws of 1971 ex. sess. and RCW 79.01.470; and amending section 1, chapter 157, Laws of 1939 and RCW 79.08.080.

To Committee on Parks and Recreation.

SUBSTITUTE SENATE BILL NO. 2447, by Committee on Judiciary (Originally sponsored by Senators Bottiger and Twigg):

AN ACT Relating to promotional contests; adding a new chapter to Title 19 RCW; and providing penalties.

To Committee on Commerce.

ENGROSSED SENATE BILL NO. 2468, by Senators Pasmussen, 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; and declaring an emergency.

To Committee on Natural Resources.

ENGROSSED 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.

To Committee on Local Government.

ENGROSSED SENATE BILL NO. 2614, by Senators Whetzel, Clarke and Woody:

AN ACT Relating to taxation; and adding a new section to chapter 83.16 RCW.

To Committee on Ways and Means - Revenue.

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.

To Committee on Ways and Means - Revenue.

SUBSTITUTE SENATE BILL NO. 2736, by Committee on Judiciary (Originally sponsored by Senator Marsh):

AN ACT Relating to the theft of cable television services; adding a new section to chapter 9.45 RCW; and prescribing penalties.

To Committee on Judiciary.

SUBSTITUTE SENATE BILL NO. 2739, by Committee on Higher Education (Originally sponsored by Senators Donohue, Lewis [Harry] and Sandison):

AN ACT Relating to institutions of higher education; amending section 28B.10.300, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.300; amending section 3, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.041; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; and declaring an emergency.

To Committee on Higher Education.

ENGROSSED 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.

To Committee on Local Government.

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.

To Committee on State Government.

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.

To Committee on Transportation and Utilities.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127, by Senators Gardner, Walgren and Jones:

Mandating study to develop procedure for screening certain children with learning disabilities.

To Committee on Education.

#### MOTION

Mr. Thompson moved that the bills, memorials and resolutions printed on today's agenda be considered first reading under the fourth order of business and be referred to the committees so designated, with the exception of SENATE BILL NO. 2672, to be referred to the Committee on State Government rather than the Committee on Ways and Means - Revenue.

The motion was carried.

## REPORTS OF STANDING COMMITTEES

April 2, 1973

HOUSE BILL NO. 428, Prime Sponsor: Representative Johnson, appropriating funds for the construction of the Benton-Franklin mental health and family counseling center, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, immediately following section 1, add two new sections as follows:

"NEW SECTION. Sec. 2. There is hereby appropriated from the state general fund for the biennium ending June 30, 1975, the sum of fifty-seven thousand ninety-nine dollars, or so much thereof as may be necessary to be used for the construction of the Whatcom family service center located at Bellingham, Washington.

NEW SECTION. Sec. 3. This 1973 act is necessary for the immediate preservation of the public peace, health, safety, the support of state government and its existing public institutions, and shall take effect immediately."

In line 1 of the title after "health;" strike "and" and after "appropriation" insert "; and declaring an emergency"

Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Bausch, Chatalas, Ehlers, Gaspard, Hoggins, Kopet, Luders, Polk, Smith, Thompson, Valle, Van Dyk.

April 2, 1973

HOUSE BILL NO. 498, Prime Sponsor: Representative Bagnariol, adopting the operating budget, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass.

Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Barden, Bausch, Blair, Brown, Charette, Ehlers, Gaspard, Hoggins, Kopet, Luders, Morrison, Polk, Smith, Thompson, Valle, Van Dyk, Warnke.

April 3, 1973

HOUSE BILL NO. 711, Prime Sponsor: Representative Kuehnle, relating to gambling, reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass.

Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Gallagher, Garrett, Gilleland, Kuehnle, Leckenby, Perry, Randall, Wilson.

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

April 2, 1973

HOUSE BILL NO. 764, Prime Sponsor: Representative Polk, setting up an educational accountability system of common schools, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass as amended by Committee on Education. Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Barden, Bausch, Brown, Chatalas, Gaspard, Hoggins, Kopet, Luders, Polk, Smith, Thompson, Van Dyk, Warnke.

April 2, 1973

HOUSE BILL NO. 804, Prime Sponsor: Representative Freeman, enacting the truth in spending act of 1973, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, strike all of sections 2 and 3 and insert the following:

"NEW SECTION. Sec. 2. Within 120 days after the close of each fiscal biennium, the office of Program Planning and Fiscal Management shall prepare a report which indicates as accurately as possible the total operating expenditures of each commission, committee, agency or department on a per capita basis for the two immediately preceding fiscal biennia. The report shall be based on population figures prepared by the Office of Program Planning and Fiscal Management and shall be distributed to each member of the Legislature and to at least one newspaper of general circulation in each county of this state."

Renumber the remaining section consecutively.

Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Brown, Ehlers, Gaspard, Hoggins, Kopet, Luders, Polk, Smith, Thompson, Valle.

April 2, 1973

HOUSE BILL NO. 1004, Prime Sponsor: Representative Randall, appropriating to school districts for 1972-1973 school year funds to compensate for Public Law 874 federal funds presently impounded, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, strike all of section 2 and insert the following:

"NEW SECTION. Sec. 2. There is hereby appropriated from the general fund for the biennium ending June 30, 1973, to the superintendent of public instruction for distribution thereby to those school districts eligible to

receive funds, and in lieu of such funds being otherwise available under Public Law 874 3 (b) for the 1972-1973 school year, the sum of \$2,524,184, or so much thereof as may be necessary: PROVIDED, That the appropriation allocations hereunder by the superintendent of public instruction shall be repaid by the receiving districts in full, without interest, by reductions in their state apportionment over a ten year period equal in annual amounts to one-tenth the amount received under this appropriation: PROVIDED FURTHER, That in the event any or all such Public Law 874 3 (b) funds become available to school districts for which state moneys were advanced hereunder, such districts shall forthwith transmit such moneys to the state treasurer for deposit in the general fund: AND PROVIDED FURTHER, That any such allocation shall be made only to a school district which has utilized moneys authorized as "receivables collectible in future years" under RCW 28A.65.095 during the 1971-1973 biennium when such Public Law funds were otherwise receivable."

Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Brown, Ehlers, Gaspard, Hoggins, Kopet, Polk, Smith, Thompson, Valle, Warnke.

April 3, 1973

ENGROSSED SENATE BILL NO. 2317, Prime Sponsor: Senator Matson, changing penalties under Washington clean air act, reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 2, line 22 after "chapter" strike "43.21" and insert "43.21E"

Signed by Representatives Luders, Chairman; Smith, Vice Chairman; Bauer, Bluechel, Charnley, Goltz, Kraebel, McCormick, Nelson, Zimmerman.

April 2, 1973

SUBSTITUTE SENATE BILL NO. 2407, Prime sponsor of original bill: Senator Sandison, creating the Washington higher education assistance authority, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; Bagnariol, Barden, Bausch, Brown, Chatalas, Gaspard, Hoggins, Kopet, Polk, Smith, Valle, Van Dyk, Warnke.

April 3, 1973

ENGROSSED SENATE BILL NO. 2544, Prime Sponsor: Senator Durkan, providing for registration of contractors by the department of labor and industries, reported by Committee on Commerce.

MAJORITY recommendation: Do pass 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"

Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Gallagher, Leckenby, Perry, Randall, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Garrett, Gilleland, Kuehne, Pardini, Wilson.

April 3, 1973

SENATE BILL NO. 2847, Prime Sponsor: Senator Ridder, permitting professional musicians eighteen years of age to entertain in licensed premises, reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 16 insert a new section to read 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."

On page 1, line 1 of the title, after "control;" strike "and" and on line 3 after "RCW" insert "; and declaring an emergency"

Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Gallagher, Garrett, Gilleland, Leckenby, Pardini, Perry, Randall, Williams, Wilson.

#### MOTION

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to Committee on Rules for second reading.



The motion was carried.

SECOND READING

HOUSE BILL NO. 607, by Representatives Gallagher, McCormick, Knowles and Gaines:

Regulating tow trucks.

The bill was read the second time.

MOTION

Mr. Kuehnle moved that House Bill No. 607 be rereferred to the Committee on Commerce.

Representative Kuehnle spoke in favor of the motion, and Representatives Gallagher and Wojahn spoke against it.

The motion by Mr. Kuehnle was lost on a rising vote.

Mr. Gallagher moved adoption of the following amendment to House Bill No. 607:

On page 1, line 5 after the enacting clause strike the remainder of the bill and insert the following:

NEW SECTION. Section 1. The business of operating tow trucks for the public in the transportation of disabled or damaged motor vehicles and vehicles incapable of self-propulsion due to mechanical defects or incapacity of such vehicle, and personal effects and/or cargo in custody by towing or hauling only upon the highways of this state, is declared to be a business affecting the public interest. The large volume of motor vehicle traffic, frequent accidents, congestion, and the need to keep the highways clear, requiring rapid and efficient service by adequately equipped and capably operated tow trucks, and the fact that those now operating such businesses are not under existing law effectively regulated, make it necessary that more complete regulation should be instituted and administered, so that the highways may be made safer for the use of the general public; that congestion on the highways may be reduced; that motor vehicle owners may be provided with a stabilized service and rate structure; that sound economic conditions in such transportation and among the tow truck operators be assured in the public interest; that adequate economical and efficient service, and reasonable charges therefor, without unjust discrimination, undue preferences or advantages, or unfair or destructive competitive practices shall prevail in the public interest.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise for the purposes of this chapter, the following terms shall have the meanings set forth:

(1) "Commission" means the Washington utilities and transportation commission.

(2) "Person" means and includes an individual, firm, partnership, corporation, company, association, or their lessees, trustees, or receivers.

(3) "Motor vehicle" means any passenger automobile, trailer, semitrailer, truck, and truck tractor, or any self-propelled or motor-driven vehicle used upon any public

highway in this state.

(4) "Vehicle" means every device capable of being moved upon a public highway and in, upon, or by which any property is or may be transported or drawn upon a public highway, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

(5) "Public highway" means every street, road, alley, highway, or freeway in this state.

(6) "Towing operator" means every person who engages in towing on a public highway of disabled, damaged, impounded, or abandoned motor vehicles, and motor vehicles incapable of self-propulsion due to mechanical defects or defects of such motor vehicles, and personal effects and/or cargo in the custody of the towing operator, for hire for the public, by means of equipment affixed to a specially constructed tow truck complying with the equipment specifications and standards promulgated by the commission and/or such agency of the state government as shall have authority to prescribe motor vehicle equipment for tow trucks.

(7) "Tow truck" means a specially constructed and equipped motor vehicle for towing disabled and other vehicles as described in subsection (6) of this section and not otherwise used in transporting goods for compensation.

(8) "Certificate of public convenience and necessity" or "certificate" means a certificate issued by the commission to a towing operator declaring that public convenience and necessity require the service of such operator.

NEW SECTION. Sec. 3. It shall be unlawful for any person to operate as a towing operator on any public highway of this state except in accordance with the provisions of this chapter.

NEW SECTION. Sec. 4. The commission shall have power and authority, by general order or otherwise, to prescribe rules and regulations in conformity with this chapter to carry out the purposes thereof, applicable to any and all towing operators.

NEW SECTION. Sec. 5. All applicable provisions of this title, relating to procedure, powers of the commission, and penalties, shall apply to the operation and regulation of persons under this chapter, except insofar as such provisions may conflict with provisions of this chapter and rules and regulations issued thereunder by the commission.

NEW SECTION. Sec. 6. The commission shall prescribe forms of application for certificates and for extensions thereof for the use of prospective applicants, and shall make regulations for the filing thereof.

NEW SECTION. Sec. 7. Certificates granted by the commission shall be in such form as the commission shall prescribe and shall set forth the name and address of the person to whom the certificate is granted, the nature of the service to be engaged in, and the principal place of operation, termini, or route to be used or territory to be served by the operation. No certificate holder shall operate except in accordance with the certificate issued to him.

NEW SECTION. Sec. 8. No towing operator shall operate for the transportation of property for hire in this

state without first obtaining from the commission a certificate so to do.

A certificate issued to any towing operator shall be exercised by said operator to the fullest extent so as to render reasonable service to the public.

An application for a certificate or extension thereof shall be on file for a period of at least thirty days prior to the granting thereof unless the commission finds that special conditions require the earlier granting thereof.

A certificate or extension thereof shall be issued to any qualified applicant therefor, authorizing the whole or any part of the operations covered by the application, if it is found that the applicant is fit, willing, and able properly to perform the services proposed and conforms to the provisions of this chapter and the requirements, rules, and regulations of the commission thereunder, and that such operations will be consistent with the public interest, and, that the same are or will be required by the present or future public convenience and necessity; otherwise such application shall be denied.

NEW SECTION. Sec. 9. Application for certificates shall be made to the commission in writing and shall state the ownership, financial condition, equipment to be used by and physical property of the applicant, the territory or route or routes in or over which the applicant proposes to operate, the nature of the transportation to be engaged in, and such other information as the commission may require.

NEW SECTION. Sec. 10. The commission may with or without a hearing issue temporary certificates to engage in the business of operating a towing firm, but only after it finds that the issuance of such temporary certificate is consistent with the public interest. Such temporary certificate may be issued for a period of up to one hundred eighty days where the area or territory covered thereby is not contained in the certificate of any other towing firm. In all other cases such temporary certificate may be issued for a period not to exceed one hundred twenty days. The commission may prescribe such special rules and regulations and impose such special terms and conditions with reference thereto as in its judgment are reasonable and necessary in carrying out the provisions of this chapter.

The commission may also issue temporary certificates pending the determination of an application filed with the commission for approval of a consolidation or merger of the properties of two or more certificate holders or of a purchase or lease of one or more certificate holders.

NEW SECTION. Sec. 11. Any person actively and in good faith engaged in business as a towing operator on or before January 1, 1973, may submit to the commission proof of such operations and an application for a certificate of public convenience and necessity within one hundred twenty days of the effective date of this act. Pending the determination of any such application, the continuance of such operations without a certificate shall be lawful. The commission shall issue a certificate of public convenience and necessity to such applicant, authorizing continued operations of the type and in the area proved, without requiring further proof that the public convenience and necessity will be served thereby, and without further

proceeding.

NEW SECTION. Sec. 12. Any application for a certificate of public convenience and necessity, or any amendment thereof, or application to sell, lease, mortgage, or transfer a certificate of public convenience and necessity or any interest therein shall be accompanied by such filing fee as the commission may prescribe by rule.

NEW SECTION. Sec. 13. The commission shall, in the granting of permits to operators under this chapter, require such operators to either procure and file liability and property damage insurance from a company licensed to write such insurance in the state of Washington, or deposit such security, for such limits of liability and upon such terms and conditions as the commission shall determine to be necessary for the reasonable protection of the public against damage and injury for which such operator may be liable by reason of the operation of any motor vehicle.

In fixing the amount of said insurance policy or policies, or deposit of security, the commission shall give due consideration to the character and amount of traffic and the number of persons affected and the degree of danger which the proposed operation involves.

NEW SECTION. Sec. 14. The commission may, under such rules and regulations as it shall prescribe, require any towing operator to file a surety bond, insurance policy, or deposit security, in a sum to be determined by the commission to be conditioned upon such operator making compensation to customers, vehicle owners or consignees for all loss, damage, or injury to vehicles or other cargo being transported by or in the custody of the towing operator.

NEW SECTION. Sec. 15. Nothing contained in this chapter shall be construed to confer upon any person or persons the exclusive right or privilege of operating as a towing operator for hire over the public highways of the state, but when an applicant requests a certificate to operate in a territory already served by a certificate holder or holders under this chapter, the commission may, after hearing, issue the certificate only if there is positive proof that public convenience and necessity requires the service of an additional operator.

In all other cases, the commission may, with or without hearing, issue certificates, or for good cause shown refuse to issue them, or issue them for the partial exercise only of the privilege sought and may attach to the exercise of the rights granted such terms and conditions as, in its judgment, the public convenience and necessity may require.

Any right, privilege, certificate held, owned, or obtained by a towing operator may be sold, assigned, leased, transferred, or inherited as other property, but only upon authorization by the commission.

NEW SECTION. Sec. 16. The commission shall supervise and regulate every towing operator in this state; make, fix, alter, and amend, just, fair, reasonable, minimum, maximum, or minimum and maximum rates, charges, classifications, rules, and regulations for all such operators; regulate the accounts, service, and safety of operations thereof; require the filing of reports and other data thereby; and supervise and regulate all such operators

in all other matters affecting their relationship with competitors of every kind and the general public: PROVIDED, That the commission may by order approve rates filed by individual operators or groups of such operators in respect to designated services.

NEW SECTION. Sec. 17. All towing operators operating under the provisions of this chapter shall, as to the services performed or offered by them, be deemed to be common carriers, subject to the obligations and duties of common carriers and entitled to all the rights and privileges of such in their relations with the public and also be deemed to be public service companies.

NEW SECTION. Sec. 18. The commission is hereby empowered to administer and enforce all provisions of this chapter and to inspect the vehicles, books, and documents of all towing operators and the books, documents, and records of those using the service of the towing operators for the purpose of discovering all discriminations and rebates and other information pertaining to the enforcement of this chapter and shall prosecute violations thereof. The commission shall employ such auditors, inspectors, clerks, and assistants as it may deem necessary for the enforcement of this chapter, and it shall be the duty of the Washington state patrol to assist in the enforcement of this chapter, and the duty of the attorney general, when requested by the commission, to assign an assistant to assist the commission in the enforcement of this chapter, and the prosecution of persons charged with a violation thereof. It shall be the duty of the sheriffs of the counties to make arrests and of the county prosecuting attorneys to prosecute violations of this chapter.

NEW SECTION. Sec. 19. (1) No towing operator shall collect or receive a greater, lesser, or different remuneration for the transportation of property or for any service in connection therewith than the rates and charges which shall have been legally established and filed with the commission, or as are specified in the contract or contracts filed, as the case may be, nor shall any such operator refund or remit in any manner or by any device any portion of the rates and charges required to be collected by each tariff or contract or filing with the commission.

(2) The commission may check the records of all operators under this chapter and of those employing their services for the purpose of discovering all discriminations, under or overcharges, and rebates, and may suspend or revoke certificates for any violation of this section.

(3) The commission may refuse to accept any schedule or tariff or contract that will, in the opinion of the commission, limit the service of an operator to profitable services only in competition with other operators who give a complete service and thus afford one an unfair advantage over a competitor.

NEW SECTION. Sec. 20. The commission may adopt rules and regulations relating to the hours of duty of towing operators and drivers of tow trucks.

NEW SECTION. Sec. 21. The commission shall prescribe an identification card which must be displayed within the cab of each motor vehicle operated by a certificate holder setting out the certificate number and

the route or territory in which the vehicle is authorized to operate and the name and address of the owner of said certificate. The identification card provided for herein may be in such form and contain such information as required by the commission. It shall be unlawful for the owner of said certificate, his agent, servant, or employee, or any other person to use or display said identification card, the certificate number or other insignia of authority from the commission after said certificate has expired, been canceled, or disposed of, or to operate any vehicle under certificate without such identification card. Such cards shall be issued annually under the rules and regulations of the commission, and shall be attached to each motor vehicle operated subject to this chapter not later than January 1st of each year: PROVIDED, That such cards may be issued for the ensuing calendar year on and after the first day of December preceding and may be used and displayed from the date of issue until December 31st of the succeeding calendar year for which the same are issued. In case an applicant received a certificate after January 1st of any year such cards shall be obtained and attached to each motor vehicle subject to this chapter before operation of any such vehicle is commenced.

Every towing operator shall, on or before the first day of April of each year, file with the commission a statement on oath showing the gross operating revenue from intrastate operations for the preceding calendar year, or portion thereof, and pay to the commission a fee equal to one percent of the amount of gross operating revenue: PROVIDED, That the fee shall in no case be less than ten dollars.

It is the intent of the legislature that the fees collected under the provisions of this chapter shall reasonably approximate the cost of supervising and regulating towing operators, and to that end the utilities and transportation commission is authorized to decrease the schedule of fees provided in this section by general order entered before March 1st of any year in which it determines that the moneys then in the towing operators account of the public service revolving fund and the fees currently to be paid will exceed the reasonable cost of supervising and regulating such carriers.

All fees collected under this section or under any other provision of this chapter shall be paid to the commission and shall be by it transmitted to the state treasurer within thirty days to be deposited to the credit of the public service revolving fund.

NEW SECTION. Sec. 22. The provisions of this chapter, except where specifically otherwise provided, shall not apply to:

(1) The United States, the state of Washington, or any county, municipality, or other subdivision thereof, or any towing operator when transporting vehicles owned or operated by any such governmental entity;

(2) Garage operators involved in automotive repairs, when transporting vehicles to or from their own place of business, when such transportation is for the purpose of repair, service, or wrecking, to be performed by them, but not when the purpose of such transportation is merely storage or removal from the public highways;

(3) Towing operators when using tow trucks solely for the purpose of transporting persons, tools, and equipment in order to provide requested roadside repairs or assistance, and not otherwise used in transporting goods or persons for compensation;

(4) Abandoned vehicle disposers properly registered pursuant to chapter 46.52 RCW, nor to vehicle hulk haulers properly and registered pursuant to chapter 46.79 RCW.

NEW SECTION. Sec. 23. In all respects in which the commission has power and authority under this chapter, applications and complaints may be made and filed with it, process issued, hearings held, opinions, orders, and decisions made and filed, petitions for rehearing filed and acted upon, and petitions for writs of review to the superior court filed therewith, appeals or mandate filed with the court of appeals or supreme court of this state, considered and disposed of by said courts in the manner, under the conditions, and subject to the limitations and with the effect specified in this title. The right of review and appeal hereby conferred shall be available to any towing operators, complainant, protestant, or other person adversely affected by any decision or order of the commission.

NEW SECTION. Sec. 24. Certificates may be canceled, suspended, altered, or amended by the commission after notice and hearing upon complaint by any interested party, or upon its own motion, when a towing operator or his agent has violated this chapter, the rules and regulations of the commission, or the motor vehicle laws of this state or of the United States, or the towing operator has made unlawful rebates or has not conducted his operation in accordance with the certificate granted him. Any person may at the instance of the commission be enjoined from any violation of the provisions of this chapter, or any order, rule, or regulation made by the commission pursuant to the terms hereof. If such suit be instituted by the commission, no bond shall be required as a condition to the issuance of such injunction.

NEW SECTION. Sec. 25. No person whose application for a certificate has been denied after hearing under any of the provisions of this chapter shall be eligible to renew the application for a period of six months from the date of the order denying such application.

NEW SECTION. Sec. 26. The provisions of RCW 81.04.405, 81.04.460, and 81.29.040 as now existing or hereafter amended, shall apply to operations under provisions of this chapter.

NEW SECTION. Sec. 27. The provisions of the Administrative Procedure Act, chapter 34.04 RCW, shall apply to this chapter.

NEW SECTION. Sec. 28. This act shall become effective July 10, 1973.

NEW SECTION. Sec. 29. Sections 1 through 27 of this act shall constitute a new chapter in Title 81 RCW."

#### POINT OF ORDER

Mr. Kuehnle: "It appears to me that the Gallagher floor amendment is in essence House Bill No. 1045, the chief sponsors of which were Representatives Gilleland and

Conner. It would appear to me that under the terms of Rule 32, the attempt by amendment, to substitute an existing bill for another bill, should be ruled out of order. I would ask for your ruling on this matter, Mr. Speaker."

Mr. Gallagher: "If you check House Bill No. 1045 and House Bill No. 607, the first few pages of the bills are identical. There are some technical differences between the two bills. The amendment added to the bill changes the whole context of both bills."

Mr. Beck: "Mr. Speaker, I want to speak to this point of order. This bill pertains to the same subject, and it is agreeable with the committee chairmen of both committees there and the prime sponsors of the bill."

MOTION

On motion of Mr. Thompson, the House deferred further consideration of House Bill No. 607, and the bill was ordered placed on today's second reading calendar following House Bill No. 785.

HOUSE BILL NO. 1060, by Representatives Bagnariol, Randall, Sommers and Williams:

Limiting aggregate property tax levies to one percent of true and fair value.

MOTION

On motion of Mr. Randall, Substitute House Bill No. 1060 was substituted for House Bill No. 1060, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1060 was read the second time.

MOTION

Mr. Newhouse moved that the House defer consideration of Substitute House Bill No. 1060 and that the bill be placed on tomorrow's second reading calendar.

Representatives Newhouse and Bagnariol spoke in favor of the motion.

The motion was carried.

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.



On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Joint Resolution No. 40 was placed on final passage.

Mr. Thompson spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 40, and the resolution passed the House by the following vote: Yeas, 88; nays, 5; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Shipoch, Smith, Smythe, Sommers, Thompson, Tilly, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Eng, Morrison, Newhouse, Schumaker.

Not voting: Representatives Hurley, Rabel, Savage, Swayze, Valle.

House Joint Resolution No. 40, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 944, by Representatives Kelley and Matthews:

Permitting nursing homes to offer out-patient services.

#### MOTION

On motion of Mr. Adams, Substitute House Bill No. 944 was substituted for House Bill No. 944, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 944 was read the second time.

Mr. Kraabel moved adoption of the following amendment by Representatives Kraabel and Sommers:

On page 1, section 2, line 20 after "be" strike "utilized" and insert "considered"

Mr. Kraabel spoke in favor of the amendment and Mr. Matthews spoke against it.

## POINT OF INQUIRY

Mr. Matthews yielded to question by Mr. Kelley.

Mr. Kelley: "Representative Matthews, just in case there is some concern over the interpretation of the word 'utilized' as set forth by Representative Kraabel, would you indicate for the record so that we could establish legislative intent exactly what it is that we mean--you being co-sponsor of this bill with myself--what our intention is on the word 'utilized' and how that differs from the word 'considered'?"

Mr. Matthews: "I will be glad to. In taking the definition right out of Webster: 'Utilize' simply means to make use of, or to benefit by using. The word 'consider,' in opposition, going back to my previous comment, means to look at, examine or ponder. So I think that retaining this word 'utilized' does make it in effect a stronger definition, and does not make it as Mr. Kraabel says, that kind of a mandatory function. It means to make use of, and I think that is what we want to retain."

Mr. Kelley spoke against adoption of the amendment..

The amendment was not adopted.

Mr. Kraabel moved adoption of the following amendment by Representatives Kraabel and Sommers:

On page 1, section 2, line 21 after "services" insert a period and strike the balance of the bill

Representatives Kraabel and Sommers spoke in favor of adoption of the amendment, and Representatives Matthews, Chatalas, Kelley and Hurley spoke against it.

Mr. Kraabel closed debate, speaking again in favor of the amendment.

The amendment was not adopted.

Mr. Kraabel moved adoption of the following amendment:

On page 1, line 24 insert a new section as follows:

"Sec. 3. Section 13, chapter 117, Laws of 1951 as amended by section 7, chapter 160, Laws of 1953 and RCW 18.51.120 are each amended to read as follows:

All information received by the department ((or approved health department)) from and after the effective date of this 1973 amendatory act, through filed reports, inspections, or as otherwise authorized under this chapter, shall not be disclosed publicly in any manner as to identify ((individuals or nursing homes)) individual patients, except in a proceeding involving the question of licensure."

Representatives Kraabel and Douthwaite spoke in favor of adoption of the amendment, and Representatives Matthews and Randall spoke against it.

## POINT OF INQUIRY

Mr. Matthews yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Matthews, it appears to me that if this amendment were passed, it would open all records of any type as regard nursing homes and make that information 'public information.' Can you tell me the types of information that are alluded to in chapter 117, Laws of 1951, and chapter 160, Laws of 1953, which apparently include all of the information to become public should this amendment pass?"

Mr. Matthews: "I am sorry, I haven't got that specific RCW in front of me, and I can't tell you all of the information that would be alluded to in those chapters at this point."

Mr. Kuehnle spoke against adoption of the amendment, and Mr. Kraabel spoke again in favor of it.

The amendment by Mr. Kraabel was not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 944 was placed on final passage.

Mr. Kelley spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 944, and the bill passed the House by the following vote: Yeas, 84; nays, 11; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Schumaker, Smythe, Swayze, Thompson, Tilly, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Charnley, Douthwaite, Lysen, Moon, North F., Shinpoch, Smith, Sommers, Van Dyk, Williams.

Not voting: Representatives Rabel, Savage, Valle.

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.

HOUSE BILL NO. 946, by Representatives Matthews and Adams:

Permitting the department of social and health services to adjust vendor's rates.

The bill was read the second time.

Mr. Kraabel moved adoption of the following amendments by Representatives Kraabel, Rabel and Sommers:

On page 1, section 1, line 14 after "then the" strike "department of social and health services" and insert "governor's committee on vendor rates"

On page 1, section 1, line 15 after "immediately" strike "increase the" and insert "investigate and make recommendations to the Legislative Budget Committee, the department of social and health services and the governor concerning an adjustment in the rate of"

#### POINT OF ORDER

Mr. Matthews: "I would like to rise to a point of order. I would like you to rule on the scope and object of these amendments. They deal with a function of chapter 74, and this bill deals with chapter 43. I don't think it is an appropriate place for these particular amendments."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "In connection with your point of order, Mr. Matthews, on whether these amendments are germane and relevant to the main subject matter, it would appear to the Speaker that perhaps they may be incompatible or inconsistent with the main proposition. But it is my opinion that the decision should rest with the body. They can determine if the amendments are inconsistent or incompatible. So I am going to rule that these amendments be considered by the House."

Representatives Kraabel, North (Lois), Sommers and Moon spoke in favor of adoption of the amendments, and Representatives Matthews, Chatalas, Parker and Leckenby spoke against them.

Representatives Kraabel and North (Lois) spoke again in favor of the amendments, and Representative Matthews spoke again in opposition to them.

The amendments by Mr. Kraabel to House Bill No. 946 were not adopted.

Mr. Shinpoch moved adoption of the following amendments:

On page 1, section 1, line 10 after "physical plant" strike "licensing, or certification" and after "staff" strike the comma and insert "or"

On page 1, section 1, lines 18 and 19 after "physical plant," strike "licensing, or certification standards"

Representative Shinpoch spoke in favor of the amendments, and Representatives Matthews and Conner spoke against them.

Mr. Shinpoch spoke again in favor of the amendments, and Mr. Chatalas spoke against them.

The amendments by Mr. Shinpoch were lost on a rising vote.

The Clerk read the following amendment by Mr. Kraabel:

On page 1, section 1, line 20 after "meet." strike all material down through "increases." on line 23

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

Mr. Kraabel moved adoption of the following amendment by Representatives Kraabel, Rabel, Sommers, Eng and North (Lois):

On page 2, section 1, line 8 after "government" insert ": PROVIDED FURTHER, That from and after the effective date of this act any provider of care to public assistance recipients who would receive the benefit of any increased payments provided by this section, shall annually provide to the department of social and health services a complete statement of its ownership and financial condition and shall at all times make available to the department all records, books and evidence of financial condition which the department may request"

Representatives Kraabel and Charnley spoke in favor of the amendment, and Representatives Matthews and Chatalas spoke against it.

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

Mr. Zimmerman spoke against adoption of the amendment, and Ms. Sommers spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Kraabel, Rabel, Sommers, Eng and North (Lois) to House Bill No. 946, and the amendment was lost by the following vote: Yeas, 34; nays, 59; not voting, 5.

Voting yea: Representatives Bender, Blair, Brown, Charnley, Clemente, Douthwaite, Ehlers, Ellis, Eng, Fortson, Gallagher, Gaspard, Goltz, Hayner, Jastad, Johnson, Kalich, Kelley, Kilbury, Knowles, Kraabel, Leckenby, Lysen, North F., North L., O'Brien, Perry, Shinpoch, Smith, Sommers, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Benitz, Berentson, Bluechel, Ceccarelli, Charette, Chatalas, Conner,

Cunningham, Curtis, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Juelling, Julin, King, Kopet, Kuehnle, Laughlin, Luders, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, Paris, Parker, Patterson, Polk, Pullen, Randall, Schumaker, Smythe, Swayze, Thompson, Tilly, Warnke, Wilson, Zimmerman. Not voting: Representatives Moon, Pardini, Rabel, Savage, Valle.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and House Bill No. 946 be placed on final passage.

The motion was carried on a rising vote.

Representatives Matthews and Chatalas spoke in favor of passage of the bill, and Representatives Kraabel, Blair and Charnley spoke against it.

Mr. May demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 946, and the bill passed the House by the following vote: Yeas, 72; nays, 20; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Chatalas, Clemente, Conner, Cunningham, Curtis, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Thompson, Tilly, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Blair, Charette, Charnley, Douthwaite, Ehlers, Eng, Goltz, Hayner, Kraabel, Lysen, Moon, North F., North L., Shipoch, Smith, Sommers, Van Dyk, Williams, Wojahn.

Not voting: Representatives Maxie, Perry, Rabel, Randall, Savage, Valle.

House Bill No. 946, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 435, by Representatives Bausch, Hendricks, Thompson, Adams, Bender, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kilbury, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North (Frances), Paris, Parker, Savage, Smith, Valle, Van Dyk, Warnke, Wojahn and Williams (by Public Employees' Retirement Board request):

Making certain revisions in the public employees' retirement system.

MOTIONS

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 435, and the bill was ordered placed at the bottom of today's second reading calendar.

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

THIRD READING

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.

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

Mrs. Wojahn spoke in favor of passage of the bill and Mr. Polk spoke against it.

Mrs. Wojahn spoke again in favor of passage of the bill and Mrs. Hayner spoke against it.

Representatives Ehlers, Smythe, Lysen and Brown spoke in favor of passage of the bill, and Representative Polk spoke against it.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 387, and the bill passed the House by the following vote: Yeas, 60; nays, 34; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Lysen, Martinis, Maxie, May,

Moon, Nelson, North F., O'Brien, Paris, Parker, Perry, Shirpoch, Smythe, Sommers, Tilly, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Benitz, Berentson, Bluechel, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Jueling, Julin, Kelley, Kopet, Leckenby, Luders, Matthews, McCormick, Morrison, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Randall, Schumaker, Swayze, Thompson, Wilson.

Not voting: Representatives Rabel, Savage, Smith, Valle.

Engrossed House Bill No. 387, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 612, by Representatives Beck and Kalich:

Implementing the law relating to county roads.

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

Representatives Kalich, Haussler, Schumaker, Perry and Amen spoke in favor of passage of the bill, and Representatives Clemente, Leckenby and Kuehnle spoke against it.

Mr. May demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 612, and the bill failed to pass the House by the following vote: Yeas, 41; nays, 54; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Benitz, Blair, Ceccarelli, Charette, Charnley, Douthwaite, Ehlers, Ellis, Gallagher, Gaspard, Hansen, Haussler, Hayner, Jastad, Kalich, Kelley, Laughlin, Lysen, Moon, Morrison, North F., O'Brien, Parker, Patterson, Perry, Pullen, Savage, Schumaker, Smith, Smythe, Swayze, Thompson, Tilly, Valle, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Anderson, Barden, Bausch, Beck, Bender, Berentson, Bluechel, Brown, Chatalas, Clemente, Cunningham, Curtis, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gilleland, Goltz, Hansey, Hendricks, Hoggins, Hurley, Johnson, Jueling, Julin, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Nelson, Newhouse, North L., Pardini, Paris, Polk, Randall, Shirpoch, Sommers, Van Dyk, Warnke, Wilson.

Not voting: Representatives Conner, Rabel, Zimmerman.



Engrossed House Bill No. 612, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Beck served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Engrossed House Bill No. 612 failed to pass the House.

MOTION

On motion of Mr. Charette, the House recessed until 1:00 p.m.

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AFTERNOON SESSION  
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The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Rabel who was excused.

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

The Speaker called the House to order.

MOTION

On motion of Mr. Thompson, the House recessed until 7:30 p.m.

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EVENING SESSION  
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The House was called to order at 7:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Blair, Rabel and Shinpoch who were excused.

MOTION

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

## SECOND READING

HOUSE BILL NO. 785, by Representatives Conner, Brown, Bausch, Douthwaite, Chatalas and Wojahn:

Increasing the minimum wage.

The House resumed consideration of House Bill No. 785 on second reading. (See Journal for twenty-second day, Friday, March 30, 1973, for previous action.) The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment to House Bill No. 785.

On motion of Mr. Savage, the following amendment to the committee amendment was adopted:

In line 1 of the committee amendment strike "line 10" and insert "line 9" and strike "as may" and insert "less than"

Mr. Savage spoke in favor of the committee amendment as amended.

The committee amendment, as amended by Mr. Savage, was adopted.

House Bill No. 785 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 607, by Representatives Gallagher, McCormick, Knowles and Gaines:

Regulating tow trucks.

The House resumed consideration of House Bill No. 607 on second reading. (For previous action, see today's Journal, Morning Session.) The Speaker (Mr. O'Brien presiding) stated that a point of order had been raised on the amendment offered by Mr. Gallagher.

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Mr. Kuehnle raised a point of order as to whether or not the amendment offered by Representative Gallagher is germane and relevant to House Bill No. 607. After considerable review and analysis of both House Bill No. 607 and House Bill No. 1045, which Mr. Kuehnle stated was lifted and placed in the amendment by Mr. Gallagher, it appears that there are substantial differences in the amendment offered by Mr. Gallagher, and they cover six substantial changes. It would appear that the House would be better served to honor the amendment by Mr. Gallagher rather than to have offered individual amendments which would take up considerable time. So, in view of efficiency and the fact that there are some substantial changes, the Speaker is going to rule that the amendment by Mr. Gallagher is germane and relevant to the main subject matter. At this time I am going to rule your point of order is not well taken, Mr. Kuehnle."

Mr. Newhouse moved adoption of the following amendments to the amendment by Mr. Gallagher to House Bill No. 607:

On page 3, section 7, line 18 after "in" strike the comma

On page 3, section 7, line 19 after "operation" strike down to and including "operation" on line 20

On page 4, section 9, line 12 after "applicant," strike down to and including "operate," on line 13

On page 4, section 10, line 20 after "days" strike down to and including "days" on line 23

On page 5, section 11, line 8 after "type" strike "and in the area"

On page 6, section 15, line 8 after "state" strike down to and including "operator" on line 13

On page 6, section 15, line 14 after "all" strike "other"

On page 8, section 21, line 16 after "number" strike down to and including "operate" on line 17

Mr. Newhouse spoke in favor of the amendments, and Mr. Gallagher spoke against them.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Ceccarelli.

Mr. Ceccarelli: "Irv, you are handling all of these amendments at once, is that correct? Then you are handling the one on page 6, section 15, line 8, after 'state' strike down to and including 'operator' on line 13?"

Mr. Newhouse: "Yes, it would strike, 'but when an applicant requests a certificate to operate in a territory already served by a certificate holder or holders under this chapter, the commission may, after hearing, issue the certificate only if there is positive proof that public convenience and necessity requires the service of an additional operator.' My point would be that I do not think that this is a valid area for the commission to regulate--that whether or not a monopoly shall exist, in my opinion, would not be what the legislature wants to grant the Utilities and Transportation Commission in this area."

Representatives Ceccarelli and Wojahn spoke against adoption of the amendments, and Representatives Wilson and Kuehle spoke in favor of the amendments.

Mr. Gallagher spoke again in opposition to the amendments by Mr. Newhouse.

Mr. Beck demanded the previous question and the demand was not sustained.

Mr. Leckenby spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Berentson, I know you have had a lot of experience with the trucking concerns in your connection with the Transportation Committee. Would you explain to the House whether or not the trucking industry is regulated as regards territories--let's say with reference to logging trucks, general utility trucking, etc?"

Mr. Berentson: "To my knowledge, there are various categories of permits issued: For example, a logging truck operator would be restricted to a rather tight area. In the area of freight lines and that type of thing, it is my understanding that they make application, and make application for a given route. That might include an entire state or it might include only a run between, say, Seattle and Vancouver, Washington. In my opinion that approach might be broadened to perhaps the approach of the Liquor Control Board in awarding liquor licenses. If we could bring that type of consideration into a tow truck bill, I think we would probably do the state of Washington a service. In my personal opinion, I am not too sure that the Utilities and Transportation Commission isn't too restrictive in who they allow in that particular business."

Representatives Douthwaite and Conner spoke against adoption of the amendments, and Representative Newhouse closed debate, speaking again in favor of the amendments.

The amendments by Mr. Newhouse to the amendment by Mr. Gallagher to House Bill No. 607 were lost on a rising vote.

The Speaker assumed the Chair.

The Clerk read the following amendment by Representatives Wilson and Tilly to the amendment by Mr. Gallagher:

On page 6, section 15, line 8 after "state," strike all material down to and including "the" on line 14 and insert "The"

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

Mr. Berentson moved adoption of the following amendments to the amendment by Mr. Gallagher to House Bill No. 607:

On page 7, section 18, line 10 following "operators" strike "and the books, documents, and records of those using the service of the towing operators"

On page 8, section 19, line 1 after "chapter" strike "and of those employing their services"

Mr. Berentson spoke in favor of the amendments and Mr. Gallagher spoke against them.

#### POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Jueling.

Mr. Jueling: "As I read the amendment that you have proposed, what you are actually eliminating, and as I interpret this--if you were a tow truck operator and I used your service, then the Utilities and Transportation Commission could have access to my books and documents or any other records that I have--just because I used your service. Is that correct?"

Mr. Berentson: "That is right. That is what the bill now states. I don't know if that was the intent of the drafter of the bill, but that is what the bill now states. I suggested a couple of days ago that perhaps if the authors of the bill are concerned about such people as the AAA, who do use the service of tow truck operators, that perhaps they should offer an amendment or change the language of this. But as it now states, the Utilities and Transportation Commission would have the ability or the authority to come to anyone who uses the tow truck and check his records--for what reason I don't know--against perhaps the records of the tow truck company."

Mr. King spoke against adoption of the amendments by Mr. Berentson.

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

Representatives Pardini and Amen spoke in favor of adoption of the amendments to the amendment by Mr. Gallagher to House Bill No. 607, and Mrs. Wojahn spoke against them.

Mr. Gallagher spoke again in opposition to the amendments.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendments by Mr. Berentson to the amendment by Mr. Gallagher to House Bill No. 607, and the amendments were adopted by the following vote: Yeas, 49; nays, 47; not voting, 2.

Voting yea: Representatives Amen, Barden, Bauer, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jueling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Lysen, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Randall, Schumaker, Smith, Smythe, Tilly, Valle, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Savage, Shipoch, Sommers, Thompson, Van Dyk, Williams, Wojahn, and Mr.

Speaker.

Not voting: Representatives Rabel, Swayze.

MOTION FOR RECONSIDERATION

Mr. Lysen, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendments by Mr. Berentson to the amendment by Mr. Gallagher to House Bill No. 607 were adopted.

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

PARLIAMENTARY INQUIRY

Mr. Julin: "Would you advise the members of the body as to the significance of a 'yes' vote or a 'no' vote insofar as their position is concerned on these amendments?"

The Speaker: "A vote 'yes' means that the body desires to reconsider the vote by which the floor amendments were adopted. If this carries, then the floor amendments would be before us for reconsideration."

PARLIAMENTARY INQUIRY

Mr. Pardini: "Would you inform the body how Representative Shinpoch voted on the last motion by which we adopted the amendments?"

The Speaker: "Representative Shinpoch voted 'no'."

Mr. Pardini: "Is Representative Shinpoch recorded as being in attendance?"

The Speaker: "He didn't answer the original roll call, Representative Pardini."

ROLL CALL

The Clerk called the roll on the motion by Mr. Lysen to reconsider the vote by which the amendments by Mr. Berentson to the amendment by Mr. Gallagher to House Bill No. 607 were adopted, and the motion was carried by the following vote: Yeas, 50; nays, 43; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bausch, Benitz, Berentson, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Hurley, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Matthews,

Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Smythe, Tilly, Warnke, Wilson, Zimmerman.

Not voting: Representatives Blair, Juelling, Rabel, Shinpoch, Swayze.

The Speaker stated the question before the House to be the following amendments by Mr. Berentson to the amendment by Mr. Gallagher:

On page 7, section 18, line 10 following "operators" strike "and the books, documents, and records of those using the service of the towing operators"

On page 8, section 19, line 1 after "chapter" strike "and of those employing their services"

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

Mrs. Wojahn spoke against adoption of the amendments.

#### POINT OF ORDER

Mr. Kuehnle: "Mr. Speaker, I don't think these examples have a thing to do with the amendments which deal with examining our personal records."

The Speaker: "Representative Kuehnle, I feel since we are talking about the regulation and the rate setting method in this entire bill, that this might be in point. If Mrs. Wojahn wishes to discuss irregularities by certain people in regard to whether or not the rates are justified, I think this would be within the scope of the argument. You may proceed, Representative Wojahn."

Mrs. Wojahn concluded her remarks in opposition to the amendments, and Mr. Berentson spoke in favor of adoption of the amendments.

#### POINT OF ORDER

Mr. Pardini: "Rule 81 of the House says: 'A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial or resolution may be reported out.' I submit to you that there are members of this body signing a bill in the wings of the House."

The Speaker: "Is there anyone signing this bill in the wings of the House? The question before the House is the consideration of House Bill No. 607 at this time. Representative Berentson, will you continue?"

Mr. Berentson concluded his remarks in favor of the amendments.

## ROLL CALL

The Clerk called the roll on the reconsideration of the amendments by Mr. Berentson to the amendment by Mr. Gallagher to House Bill No. 607, and the amendments were lost by the following vote: Yeas, 44; nays, 51; not voting, 3.

Voting yea: Representatives Amen, Barden, Bausch, Benitz, Berentson, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Blair, Rabel, Shinpoch.

The Clerk read the following amendment by Representatives Wilson and Tilly to the amendment by Mr. Gallagher:

On page 10, section 22, subsection (5), line 11 after "necessity." strike all material down to and including the period on line 14

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

Mr. Schumaker moved adoption of the following amendment by Representatives Schumaker and Amen to the amendment by Mr. Gallagher to House Bill No. 607:

On page 10, section 22, subsection (5), line 7 after "commission" strike all material down to and including "dollars" on line 14 and insert "shall exempt from the provisions of this chapter any towing operator who provides towing service to a rural or sparsely populated area. Such exemption shall continue until such time as the annual gross revenues of such operator from towing services exceed five thousand dollars"

Representatives Schumaker, Gallagher, Wojahn and Douthwaite spoke in favor of adoption of the amendment to the amendment.

The amendment by Representatives Schumaker and Amen to the amendment by Mr. Gallagher to House Bill No. 607 was adopted.

The Speaker stated the question before the House to be the amendment by Mr. Gallagher to House Bill No. 607, as amended by Representatives Schumaker and Amen.



Representatives Gallagher and Gilleland spoke in favor of the amendment.

The amendment as amended was adopted.

House Bill No. 607 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

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

THIRD READING

ENGROSSED HOUSE BILL NO. 640, by Representatives Williams, Bluechel, Perry, Lysen, Paris, Blair and Wojahn (by Executive request):

Creating a state department of business and consumer services.

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

Representatives Williams and Bluechel spoke in favor of passage of the bill, and Representatives Polk, Curtis and Barden spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 640, and the bill passed the House by the following vote: Yeas, 52; nays, 42; absent or not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bender, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hoggins, Johnson, Kelley, Kilbury, King, Knowles, Kopet, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North L., O'Brien, Paris, Perry, Savage, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bauer, Bausch, Beck, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Juelling, Julin, Kalich, Kraabel, Kuehnle, Matthews, Morrison, Nelson, Newhouse, North F., Pardini, Parker, Patterson, Polk, Pullen, Randall, Schumaker, Smith, Smythe, Tilly, Wilson.

Not voting: Representatives Blair, Rabel, Shinpoch, Zimmerman.

Engrossed House Bill No. 640, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2096, as amended by the House, by Senators 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.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2096 as amended by the House, and the bill passed the House by the following vote: Yeas, 80; nays, 13; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Portson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Benitz, Charette, Freeman, Gilleland, Kopet, May, Morrison, Nelson, Newhouse, Parker, Polk, Swayze, Tilly.

Not voting: Representatives Anderson, Blair, Jueling, Rabel, Shinpoch.

Engrossed Senate Bill No. 2096 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

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

Mr. Hoggins moved that the Committee on Ways and Means - Revenue be relieved of HOUSE JOINT RESOLUTION NO. 19, and that it be placed on the second reading calendar.

Mr. Hoggins spoke in favor of the motion and Mr. Charette spoke against it.

The motion by Mr. Hoggins was lost.

## POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Hoggins.

Mr. Hoggins: "I would like to ask the question that I tried to ask before the vote was taken. Representative Charette, what assurance can you give this body and the senior citizens of our state that we will deal with House Joint Resolution No. 19 before this legislative session is over?"

Mr. Charette: "I think, Representative Hoggins, that the question can best be answered in the style of one of the great justices of the United States Supreme Court, and that is in the form of a question: What assurance can you give us that we will have enough votes for any responsible measure considered by this House?"

The Speaker: "Do you wish to yield to question, Representative Hoggins?"

Mr. Hoggins: "I can give Mr. Charette some very good assurance there will be cooperation on this side of the aisle in the area of tax reform. I think if we are talking about this issue here, I can give him assurance there will be cooperation on this side of the aisle for this issue if we can ever get the bill out of committee. I am willing to work with people, and I know people on this side of the aisle are willing to work with you on this issue."

## SECOND READING

HOUSE BILL NO. 272, by Representatives Hansey, Conner and Berentson:

Requiring certain nonresident personal use fishing licenses.

## MOTION

On motion of Mr. Martinis, Substitute House Bill No. 272 was substituted for House Bill No. 272, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 272 was read the second time.

Mr. Martinis moved adoption of the following amendments:

On page 1, section 2, line 12 strike "Except as provided in section 6(3) of this 1973 act, it" and insert "It"

Beginning on page 2 strike all of sections 5 and 6

On page 4, line 4, section 9, strike all of subsection (2)

On page 5, line 18 strike all of section 16

Renumber sections consecutively and correct internal references.

Representatives Martinis and Charnley spoke in favor of adoption of the amendments, and Representative Hansey spoke against their adoption.

Mr. Martinis closed debate, speaking again in favor of the amendments.

The amendments by Mr. Martinis were adopted on a rising vote.

Substitute House Bill No. 272 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 564, by Representatives Kilbury and Nelson:

Providing alternate methods for petitioning a legislative body to call an annexation election.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments see Journal for eleventh day, Ex. Sess., March 19, 1973.)

The bill was read the second time.

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

House Bill No. 564 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 564 was placed on final passage.

Representatives Kilbury and Nelson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 564, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Gallagher.

Not voting: Representatives Anderson, Benitz,

Blair, Rabel, Shinpoch.

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.

HOUSE BILL NO. 731, by Representatives Paris, Adams, May and Matthews:

Expanding nursing home treatment authority.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 731 was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Paris yielded to question by Mrs. Hurley.

Mrs. Hurley: "It just occurs to me, will these people be confined in the nursing home, or will they be out in the yards and in the neighborhood?"

Mr. Paris: "Well, of course, exactly what type of patient will be sent there, I am not qualified to say, but these would be the geriatric patients of a hospital that could be sent there. I think we need to make that distinction."

Mrs. Hurley: "It is only the elderly?"

Mr. Paris: "Yes, I am sorry I didn't make that distinction."

#### POINT OF INQUIRY

Mr. Paris yielded to question by Mr. Goltz.

Mr. Goltz: "If Northern State Hospital does not close, or if the concept of a community service center replaces Northern State Hospital, would this legislation still be desirable?"

Mr. Paris: "Yes, it would. And I was not making an announcement, by the way, regarding Northern State. Many of the patients in nursing homes now do need and do receive psychiatric or psychological assistance by the very nature of their problems, so this is simply to take care of patients that are there presently."

#### POINT OF INQUIRY

Mr. Paris yielded to question by Mr. Van Dyk.

Mr. Van Dyk: "I was just reading the bill digest,

and I didn't see the words that it was limited solely to geriatrics. Is the treatment for those who need mental care limited solely to geriatrics, or do you just think that is mostly what will be handled in the nursing home?"

Mr. Paris: "I think by the very nature of a nursing home, that would be the most sizeable number of patients so treated, but I would not want to stand here and say it would be 'solely' geriatric patients."

Mr. Van Dyk: "In other words, as the bill is now, it would be open to any type of mental health care--it could be the acutely mentally ill, or whatever? It doesn't prohibit it?"

Mr. Paris: "I wouldn't want to make a statement in a precise way, or make an absolute statement to that because I am not of course making those commitments--but I would say, obviously there are some patients, acutely mentally ill, who could not be committed to a nursing home by the very nature of a nursing home--the ones that I visit anyway."

Mr. Van Dyk: "Well, further clarification--if they couldn't be committed to a nursing home, for what reason would they not go to a nursing home? What would prohibit that?"

Mr. Paris: "Well anyone who is a dangerous person--one who is psychotic or would have some of the more dangerous mental illnesses certainly could not be sent there to jeopardize the other patients in a nursing home."

Mr. Van Dyk spoke against passage of the bill, and Mr. Parker spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 731, and the bill passed the House by the following vote: Yeas, 87; nays, 8; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Mathews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Clemente, Ehlers, Fortson, Goltz, Hurley, Lysen, Pullen, Van Dyk.

Not voting: Representatives Blair, Rabel,

Shinpoch.

House Bill No. 731, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment see Journal for thirteenth day, Ex. Sess., March 21, 1973.)

The bill was read the second time.

Mr. Adams moved adoption of the committee amendment.

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

The committee amendment was adopted.

House Bill No. 933 was ordered engrossed and passed to Committee on Rules for third reading.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

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,  
SENATE BILL NO. 2293.

#### MOTIONS

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

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Thursday, April 5, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## TWENTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 5, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Williams who was excused.

The Speaker assumed the Chair.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend J. Alan Justad of the First United Methodist Church of Olympia.

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

## MESSAGE FROM THE SENATE

April 4, 1973

Mr. Speaker:

The Senate 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, and said report, together with the bill, is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

March 30, 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 ", address" strike "place and" and insert "((place and)) previous"

On page 3, section 2, line 9, after "~~44~~" strike all material down to and including "crime((" on line 10 and



insert "Whether the applicant is presently denied his civil rights as a result of being convicted of an infamous crime"

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, beginning on line 28 strike all of section 6

On page 6, section 7, line 22 of the engrossed bill, being line 20 of the printed bill, after "amended" strike "and to cancel a previous registration as provided by RCW 29.10.040, as it now exists or is hereafter amended"

On page 6, section 7, line 24 of the engrossed bill, being line 22 of the printed bill, after "forms" strike "and envelopes"

Signed by Senators Grant, Clarke and Washington; Representatives Clemente, Brown and Parker.

#### MOTION

Mr. Parker moved that the House adopt the report of the Free Conference Committee on Engrossed House Bill No. 601.

Representatives Parker and Brown spoke in favor of the motion.

The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY THE FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 601 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk 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 House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Martinis, Matthews, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Garrett,

Leckenby, Lysen, Maxie, Nelson, Pullen, Rabel, Randall, Warnke, Williams.

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.

SENATE AMENDMENT TO HOUSE BILL

April 3, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 123 with the following amendment:

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" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Haussler moved that the House concur in the Senate amendment to Engrossed House Bill No. 123.

Representatives Haussler and North (Lois) spoke in favor of the motion, and the motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 123 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 123 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Pullen, Rabel, Williams.

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 AMENDMENT TO HOUSE BILL

April 3, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 741 with the following amendment:

On page 2, section 1, line 7 of both the engrossed and printed bills, after "act" and before the period insert ": PROVIDED, That this requirement may be waived by the board for good cause"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mrs. Wojahn moved that the House concur in the Senate amendment to Engrossed House Bill No. 741.

Representatives Wojahn and Kuehnle spoke in favor of the motion, and the motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 741 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 741 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Amen.

Not voting: Representatives Maxie, Pullen, Rabel, Warnke, Williams.

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.

MESSAGE FROM THE SENATE

April 4, 1973

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, and has passed the resolution as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

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:

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

Mr. Charette moved that the House adopt the report of the Free Conference Committee on Engrossed Senate Concurrent Resolution No. 125.

#### PARLIAMENTARY INQUIRY

Mr. Swayze: "Mr. Speaker, I have a computer print-out on the activity on this Resolution No. 125. Under date of April 3, on action on that measure in the Senate, we find that the Senate refused to concur in the House amendments; asked for a conference; appointed a conference committee; request granted; committee appointed. Then, conference committee report; free conference powers requested; free conference powers granted; and free conference committee report adopted--all on April 3, 1973. My point of parliamentary inquiry is: Under Rule 9, requiring that a free conference report be on the desk thirty-six hours before it can be adopted--my point is whether one house of this legislature can, by unilateral action, suspend a Joint Rule of the House and the Senate and take action all in one day."

The Speaker: "It is my understanding that the matter was brought up in the Senate and there was no objection to the procedure. I don't think it is incumbent upon the House to enforce the Senate's conduct. The matter has been thirty-six hours before this House, so therefore I think it is before this House to be acted on."

The motion by Mr. Charette was carried on a rising vote.

#### FINAL PASSAGE OF SENATE CONCURRENT RESOLUTION AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Senate Concurrent Resolution No. 125 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 125 as amended by the Free Conference Committee, and the resolution passed the House by the following vote: Yeas, 54; nays, 43; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite,

Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, King, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representative Williams.

Engrossed Senate Concurrent Resolution No. 125 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1107, by Representatives Curtis, Ceccarelli, North (Lois), Savage and Wilson:

AN ACT Relating to business practices; 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.

To Committee on Commerce.

HOUSE BILL NO. 1108, by Representatives Martinis, Luders, Adams, Kalich, Hansen, Kilbury, Fortson, Parker, Jastad and Clemente:

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; and providing for submission of this act to a vote of the people.

To Committee on Natural Resources.

HOUSE BILL NO. 1109, by Representatives Charnley, Pardini and Williams:

AN ACT Relating to state historical societies and associations; amending section 2, chapter 177, Laws of 1903 and RCW 27.28.020; amending section 3, chapter 177, Laws of 1903 and RCW 27.28.030; adding new sections to chapter 177, Laws of 1903 and to chapter 27.28 RCW; repealing section 1, chapter 187, Laws of 1925 ex. sess., section 1, chapter 35, Laws



of 1973 and RCW 27.32.010; repealing section 2, chapter 187, Laws of 1925 ex. sess., section 2, chapter 35, Laws of 1973 and RCW 27.32.020; repealing section 3, chapter 187, Laws of 1925 ex. sess. and RCW 27.32.030; repealing section 1, chapter 44, Laws of 1941, section 1, chapter 62, Laws of 1965 ex. sess. and RCW 27.36.010; repealing section 3, chapter 44, Laws of 1941 and RCW 27.36.020; repealing section 2, chapter 44, Laws of 1941, section 2, chapter 62, Laws of 1965 ex. sess. and RCW 27.36.030; repealing section 4, chapter 44, Laws of 1941 and RCW 27.36.040; repealing section 5, chapter 44, Laws of 1941, Laws of 1965 ex. sess. and RCW 27.36.050; repealing section 4, chapter 62, Laws of 1965 ex. sess. and RCW 27.36.060; repealing section 5, chapter 62, Laws of 1965 ex. sess. and RCW 27.36.070; repealing section 1, chapter 30, Laws of 1899 and RCW 27.40.010; repealing section 2, chapter 30, Laws of 1899 and RCW 27.40.020; repealing section 3, chapter 30, Laws of 1899 and RCW 27.40.030; and repealing section 4, chapter 30, Laws of 1899 and RCW 27.40.040.

To Committee on State Government.

#### MOTIONS

On motion of Mr. Charette, ENGROSSED SENATE BILL NO. 2490 was rereferred from the Committee on Rules to the Committee on Ways and Means - Appropriations.

On motion of Mr. Thompson, SENATE JOINT MEMORIAL NO. 123 was rereferred from the Committee on Transportation and Utilities to the Committee on State Government.

On motion of Mr. Thompson, HOUSE BILL NO. 1069 was rereferred from the Committee on Local Government to the Committee on Ways and Means - Revenue.

#### REPORTS OF STANDING COMMITTEES

April 1, 1973

HOUSE BILL NO. 1006, Prime Sponsor: Representative Randall, exempting certain personal contracts and athletic or sports franchises from property taxation, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bluechel, Eikenberry, Erickson, Goltz, Hurley, Julin, Kilbury, King, Kuehnle, Newhouse, Pardini.

March 31, 1973

HOUSE BILL NO. 1099, Prime Sponsor: 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, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Ehlers, Hendricks, Kopet, Moon, Perry, Thompson.

April 4, 1973

HOUSE CONCURRENT RESOLUTION NO. 49, Prime Sponsor: Representative Smith, providing for a study of criminal sentencing procedure, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Hayner, Maxie, Newhouse, Smith, Sommers, Swayze.

April 4, 1973

SENATE BILL NO. 2043, Prime Sponsor: Senator Francis, providing for jurisdiction in certain actions for divorce, annulment or separate maintenance, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Hayner, Julin, Newhouse, Smith, Sommers.

March 31, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2066, Prime sponsor of original bill: Senator Durkan, modifying insurance programs for state employees and expanding the state employees insurance board, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

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))"

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Cunningham, Ehlers, Gaines, Hendricks, Hurley, Moon, Perry, Polk, Thompson.

April 3, 1973

SENATE BILL NO. 2110, Prime Sponsor: Senator Grant, changing arbitrators fees in health care services, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Fortson, Freeman, Hendricks, Johnson, Matthews, Paris, Savage, Smythe, Wojahn, Zimmerman.

April 4, 1973

SENATE BILL NO. 2161, Prime Sponsor: Senator Francis, expanding responsibilities of municipal courts in passing sentences, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Hayner, Newhouse, Smith, Sommers, Swayze.

April 3, 1973

ENGROSSED SENATE BILL NO. 2229, Prime Sponsor: Senator Bottiger, limiting the application of the administrative procedure act in certain proceedings, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Fortson, Freeman, Hendricks, Matthews, Paris, Savage, Smythe, Wojahn, Zimmerman.

April 3, 1973

ENGROSSED SENATE BILL NO. 2256, Prime Sponsor: Senator Bottiger, implementing the law of juvenile probation services, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Fortson, Freeman, Hendricks, Johnson, Matthews, Paris, Savage, Smythe, Wojahn, Zimmerman.

MOTION

Mr. Thompson moved that all reports of standing committees listed on the fifth order of business be passed to the Committee on Rules for second reading.

The motion was carried.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MOTION

On motion of Mr. Charette, the House recessed until 1:45 p.m.

## AFTERNOON SESSION

The House was called to order at 1:45 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Rabel and Williams who were excused.

## MESSAGE FROM THE SENATE

April 5, 1973

Mr. Speaker:

The Senate has adopted the report of the conference committee on ENGROSSED SENATE BILL NO. 2278, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker signed:

HOUSE BILL NO. 225,  
HOUSE BILL NO. 668,  
HOUSE BILL NO. 746.

## MOTION

Mr. Charette moved that the House immediately consider HOUSE BILL NO. 711.

## SECOND READING

HOUSE BILL NO. 711, by Representatives Kuehnle, Bagnariol, Ceccarelli, Morrison and Gallagher:

Relating to gambling.

## MOTION

On motion of Mrs. Wojahn, Substitute House Bill No. 711 was substituted for House Bill No. 711, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 711 was read the second time.

## MOTION

Mr. Charnley moved that the House defer consideration of Substitute House Bill No. 711 on second reading, and that the bill be placed at the top of tomorrow's second reading calendar.

Representatives Charnley, Eikenberry and Charette spoke in favor of the motion.

The motion was carried.

SUBSTITUTE HOUSE BILL NO. 1060, by Representatives Bagnariol, Randall, Sommers and Williams:

Limiting aggregate property tax levies to one percent of true and fair value.

The House resumed consideration of Substitute House Bill No. 1060 on second reading. (Bill substituted on April 4, 1973, and held for April 5, 1973 calendar.)

Mr. Barden moved adoption of the following amendment by Representatives Barden and Lysen:

On page 1, section 1, line 22 after "district" and before the period insert ": PROVIDED FURTHER, That no port district levy shall be made unless authorized by a majority of the registered voters of the district at an election held in the manner now or hereafter provided by law for similar elections in school districts of the first class and such election shall be held no more than once in any four-year period, and each such election may authorize a levy for no more than four years"

## POINT OF ORDER

Mr. Parker: "Mr. Speaker, I would like to raise a point of order as to the scope and object of this amendment. The bill deals with limiting property to one percent of true and fair value, and it defines the taxing district. It does not deal with election requirements for levies."

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Mr. Parker has raised the question as to whether or not the amendment by Representatives Barden and Lysen is germane to the main purpose of Substitute House Bill No. 1060. It appears that the primary purpose of Substitute House Bill No. 1060 is to limit the amount of property tax that can be levied in any one year. The purpose of the amendment is to set forth conditions on which the port districts can levy their port district levy, holding it to once in any four-year period, and that each such election may be authorized for not more than four years. It would appear that this amendment is not germane to the overall primary purpose of Substitute House Bill No. 1060. It is not pertinent to the main subject matter of the bill, so I am going to rule that the amendment is not germane, and it is out of order."

Mr. Julin moved adoption of the following amendment: On page 2, line 6 insert the following new sections: "NEW SECTION. Sec. 2. The text of House Bill 686, beginning on page 8, line 27, down to and including page 149, line 16, and all House Committee Amendments adopted thereto by the House Committee on Ways and Means - Revenue is incorporated herein by reference and the sections thereof appropriately renumbered.

NEW SECTION. Sec. 3. The effective date of sections 15 and 21 of this 1973 amendatory act shall be July 1, 1973, at which time sections 14 and 20 of this act shall be void and of no effect."

Renumber the remaining section consecutively.

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

#### POINT OF ORDER

Mr. Bagnariol: "I raise the point of order as to whether or not the text of another bill can be attached to a bill as an amendment to the bill."

#### POINT OF INFORMATION

Mr. Newhouse: "I would just like to point out, Mr. Speaker, that this amendment encompasses House Bill No. 686 as it was brought out of committee, and not in the form that it now reposes in Rules Committee with no great impetus to get it out."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "In connection with the point of order raised by Mr. Bagnariol relative to the amendment by Mr. Julin, it would appear that the amendment is not prepared in the form required by House Rule No. 29. Because of that, the amendment is declared out of order. Your point is well taken, Mr. Bagnariol."

#### PARLIAMENTARY INQUIRY

Mr. Julin: "Mr. Speaker, House Bill No. 686 as amended by the committee has been in the bill book of every member of this body for several weeks. My amendment simply incorporates that language as a speedy way of avoiding substantial printing costs for the state. It was for that reason I chose this particular route. Would you please advise me whether or not my amendment would be in order if I were simply to attach to my amendment a copy of House Bill No. 686 as amended by the Committee on Ways and Means - Revenue (which I can do). Would this amendment then be in order?"

The Speaker (Mr. O'Brien presiding): "Your question is moot. I would have to see what it is all about."

## MOTION

On motion of Mr. Pardini, the House deferred further consideration of Substitute House Bill No. 1060 on second reading, and the bill was ordered held for tomorrow's second reading calendar following Substitute House Bill No. 711.

HOUSE BILL NO. 962, by Representatives Ehlers, Savage, Wojahn and May:

Revising the law relating to industrial welfare.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments see Journal for ninth day, Ex. Sess., March 17, 1973.)

The bill was read the second time.

On motion of Mr. Savage, the committee amendment to page 3, section 3, line 6 was adopted.

Mr. Savage moved adoption of the amendment adding a new section 4.

Mr. Morrison spoke in favor of the amendment, and the amendment was adopted.

On motion of Mr. Savage, the committee amendment striking section 11 was adopted.

Mr. Freeman moved adoption of the following amendment:

On page 6, section 12, line 27 after "minors," and before "except" insert "wherever such employment circumstances are suspected to be substandard or otherwise unsatisfactory"

Representatives Freeman and Morrison spoke in favor of adoption of the amendment, and Representatives Savage and Ehlers spoke against it.

The amendment by Mr. Freeman was not adopted.

Mr. Freeman moved adoption of the following amendment:

On page 7, section 13, line 22 after "act" and before the period 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"

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

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

Mr. Morrison spoke in favor of the amendment, and Mr. Ehlers spoke against it.

Representatives Morrison and Freeman spoke again in favor of adoption of the amendment, and Representative Clemente spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Freeman to House Bill No. 962, and the amendment was lost by the following vote: Yeas, 42; nays, 53; not voting, 3.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jueling, Julin, Kelley, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Maxie, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Rabel, Smythe, Williams.

Mr. Freeman moved adoption of the following amendment:

On page 8, section 12, line 9 after "new" and before "and" strike "ruels" and insert "rules"

Representatives Freeman and Savage spoke in favor of the amendment, and the amendment was adopted.

House Bill No. 962 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 966, by Representatives Van Dyk and Zimmerman:

Providing for determination of municipal water rates.

#### MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 966, and the bill was ordered placed on the calendar following Engrossed Senate Bill No. 2312.



ENGROSSED SUBSTITUTE SENATE BILL NO. 2227, by Committee on Judiciary (Originally sponsored by Senators Woodall, Matson, Henry and Washington):

Increasing the number of superior court judges in certain counties.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2227 was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2227, and the bill passed the House by the following vote: Yeas, 83; nays, 12; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Neuhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Cunningham, Ehlers, Jueling, Lysen, Nelson, Pardini, Pullen, Smythe, Warnke, Zimmerman.

Not voting: Representatives Brown, Rabel, Williams.

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.

ENGROSSED SENATE BILL NO. 2306, by Senators Woody, Atwood and Van Hollebeke:

Authorizing legislative authority of a county to employ an attorney for legal services.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment see Journal for twentieth day, Ex. Sess., March 28, 1973.) 10

The bill was read the second time.

Mr. Haussler moved adoption of the committee amendment and spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Haussler yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Haussler, is this the committee amendment which has the effect of striking the Senate amendment which required the consent of the prosecutor?"

Mr. Haussler: "This is right, yes. As far as I know it is the original language."

Mr. Kuehnle spoke against adoption of the committee amendment, and Mr. Haussler spoke again in favor of the amendment.

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

Representatives Swayze and Smythe spoke against adoption of the committee amendment, and Representatives Douthwaite and Charette spoke in favor of the amendment.

Mr. Swayze spoke again in opposition to the committee amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the committee amendment to Engrossed Senate Bill No. 2306, and the committee amendment was adopted by the following vote: Yeas, 51; nays, 45; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Kalich, Kelley, Kilbury, King, Laughlin, Luders, Lysen, Martinis, Maxie, May, Moon, North P., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Charney, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Johnson, Juelling, Julin, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, McCormick, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Warnke, Wilson, Zimmerman.

Not voting: Representatives Rabel, Williams.

Mr. Pardini moved adoption of the following amendment:

On page 1, section 1, line 19 after "writing" insert "and shall be limited to no more than twenty-five thousand dollars annually"

Representatives Pardini and Julin spoke in favor of the amendment, and Representatives Haussler and Charette spoke against it.

The amendment by Mr. Pardini was not adopted.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2306 as amended by the House be placed on final passage.

The motion was lost.

Engrossed Senate Bill No. 2306 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2312, by Senators Bailey and Atwood:

Establishing maximum rates to be paid for public printing and legal notices.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2312 was placed on final passage.

Mr. Haussler spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2312, and the bill passed the House by the following vote: Yeas, 88; nays, 2; not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Tilly, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Parker, Pullen.

Not voting: Representatives Brown, Leckenby, McCormick, Rabel, Thompson, Williams, Wilson, Zimmerman.

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.

HOUSE BILL NO. 966, by Representatives Van Dyk and Zimmerman:

Providing for determination of municipal water rates.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments see Journal for twenty-fifth day, Ex. Sess., April 2, 1973.)

The bill was read the second time.

On motion of Mr. Haussler, the committee amendment to page 1, section 1, line 12 was adopted.

#### MOTION

On motion of Mr. Conner, the House deferred further consideration of House Bill No. 966, and the bill was ordered placed on today's calendar following Engrossed Senate Bill No. 2840.

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 second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2339 was placed on final passage.

Mr. Martinis spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Julin.

Mr. Julin: "Representative Martinis, my digest of this bill indicates that this new proposed council may participate in public relations activities affecting legislative awareness of proposed legislation. I have not read the bill with that exactness, but does that mean that this commission could in the interim be engaged in political lobbying activities?"

Mr. Martinis: "Representative Julin, that is not the intent of the bill. The reason for that was so that the advisory council would actually be a part of the standing committees. The standing committees would select these people, just as we did during the last interim. The interim committee did have a citizens advisory committee and they suggested possible future legislation that the committee proposed. This very bill was the suggestion of that citizens committee. No, Mr. Julin, there is no intent in this bill that this advisory council be a political arm.

It would be strictly advisory, and would make suggestions pertaining to future legislation."

Mr. Julin: "One further question: Would those suggestions, then, and that advice be limited to the department of fisheries that it is advising?"

Mr. Martinis: "Representative Julin, the intent of this council is not only to advise the department, but also advise either the interim committees or the standing committees of the House and the Senate. They actually have no official capacity other than advisory. Their only official duty would be to advise you, as a legislator, and namely the House Natural Resources Committee that you serve on. They would actually have no other jurisdiction and no powers other than to make suggestions."

Mr. Swayze spoke against passage of the bill, and Mr. Martinis spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2339, and the bill passed the House by the following vote: Yeas, 61; nays, 30; not voting, 7.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Gaines, Gallagher, Garrett, Gaspard, Hansen, Hansey, Haussler, Hendricks, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Fortson, Gilleland, Goltz, Hayner, Hoggins, Hurley, Juelling, Kopet, Kraabel, Leckenby, Matthews, Morrison, Nelson, Newhouse, North F., North L., Pardini, Smythe, Sommers, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representatives Amen, Benitz, Freeman, Julin, Kuehnle, Rabel, Williams.

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.

#### STATEMENT FOR THE JOURNAL

I cast a "nay" vote on Engrossed Senate Bill No. 2339. When the Speaker locked the voting machine, my switch dropped out.

KEMPER FREEMAN, JR., 48th District.

## STATEMENT FOR THE JOURNAL

I voted "no" on Engrossed Senate Bill No. 2339 because I have reservations about legislators serving on an advisory council to the Department of Fisheries.

It will be unnecessary, costly, and could lead to a whole rash of advisory councils of legislators to separate administrative agencies at per diem.

HAROLD S. ZIMMERMAN, 17th District.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2365, by Committee on Social and Health Services (Originally sponsored by Senators Durkan, Woodall, Ridder, Connor and Knoblauch - by Lt. Governor request):

Regulating emergency medical care and health services.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments see Journal for eighth day, Ex. Sess., March 16, 1973, and twenty-fifth day, Ex. Sess., April 2, 1973.)

The bill was read the second time.

On motion of Mr. Parker, the committee amendments to page 4, line 20; page 5, line 8; page 6, line 33; page 8, line 24; and page 10, line 2, were adopted.

Mr. Nelson moved adoption of the following amendments by Representatives Nelson and Berentson:

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 5, section 8, line 21, after "for" insert "the following nonpublicly owned equipment"

On page 7, section 13, line 25, after "(1)" strike "The United States government" and insert "Any governmental entity"

On page 9, section 16, line 8 after "each" insert "nonpublicly owned"

Mr. Nelson spoke in favor of the amendments, and Mr. Parker spoke against their adoption.

## POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Parker, if this amendment does not pass, is it true that Medic One would be regulated by the Department of Social and Health Services?"

Mr. Parker: "Representative Leckenby, the answer to that question would be that the department, in reference to this bill, would be allowed to provide minimum standards.

But when you talk about regulation, Medic One would, I am sure, far and away exceed those standards, so in effect the bill would not have that much effect on Medic One."

Mr. Leckenby spoke in favor of adoption of the amendments, and Mr. Parker spoke against the amendments.

Representatives Leckenby and Berentson spoke in favor of the adoption of the amendments.

The Speaker (Mr. O'Brien presiding) recognized Mr. Parker to speak again on the amendments.

#### POINT OF ORDER

Mr. Matthews: "I believe Mr. Parker has already spoken twice on this particular amendment, Mr. Speaker."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Rule 51, Mr. Parker, states that 'No member shall speak more than twice on the same question without leave of the House.' For what purpose do you rise, Mr. Parker?"

Mr. Parker: "Mr. Speaker, there are six amendments on the desk."

The Speaker (Mr. O'Brien presiding): "Do you think you covered the six amendments in your previous remarks? You didn't quite cover them? If somebody wants to make a motion to grant additional time, the motion would be in order."

#### MOTION

On motion of Mr. Savage, Mr. Parker was granted additional time to discuss the amendments offered by Representatives Nelson and Berentson.

Mr. Parker spoke again in opposition to the amendments, and Mr. Nelson spoke again in favor of their adoption.

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

The amendments by Representatives Nelson and Berentson were adopted on a rising vote.

#### MOTION

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

#### MOTION FOR RECONSIDERATION

Mr. Beck, having given notice on the preceding day, moved that the House do now reconsider the vote by which ENGROSSED HOUSE BILL NO. 612 failed to pass the House.

Mr. May demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Eng, Rabel and Williams.

On motion of Mr. Thompson, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Beck that the House do now reconsider the vote by which Engrossed House Bill No. 612 failed to pass the House.

The Speaker resumed the Chair.

Representative Beck spoke in favor of the motion, and Representatives Barden and May spoke against it.

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

Representatives Kalich and Schumaker spoke in favor of the motion by Mr. Beck, and Representative Leckenby spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Beck to reconsider the vote by which Engrossed House Bill No. 612 failed to pass the House, and the motion was lost by the following vote: Yeas, 42; nays, 53; not voting, 3.

Voting yea: Representatives Adams, Amen, Bauer, Bausch, Beck, Blair, Charette, Conner, Ehlers, Ellis, Gallagher, Gaspard, Hansen, Haussler, Hayner, Hendricks, Jastad, Kalich, Kelley, Kilbury, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, Moon, North F., O'Brien, Patterson, Perry, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Anderson, Bagnariol, Barden, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Eikenberry, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gilleland, Goltz, Hansey, Hoggins, Hurley, Johnson, Juelling, Julin, King, Kopet, Kraabel, Kuehne, Leckenby, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Parker, Polk, Pullen, Shinpoch, Tilly, Valle, Van Dyk, Warnke, Wilson.

Not voting: Representatives Eng, Rabel, Williams.

#### MOTIONS

On motion of Mr. May, the House dispensed with



further business under the Call of the House.

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

PERSONAL PRIVILEGE

Mrs. Hurley: "Mr. Speaker, ladies and gentlemen of the House: Through the help of a fellow member, I have a little limerick I would like to read to you:

Our friendly Spokane colleague named May,  
Has labored until his hair has turned gray.  
As his seatmate from District Three,  
Will you please join with me,  
In wishing May a most happy birthday."

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE BILL NO. 123,  
HOUSE BILL NO. 601,  
HOUSE BILL NO. 741.

MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Friday, April 6, 1973.

LEONARD A. SAWYER, Speaker.  
DEAN R. FOSTER, Chief Clerk.

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TWENTY-NINTH DAY

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MORNING SESSION

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House Chamber, Olympia, Wash., Friday, April 6, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Ceccarelli presiding). The Clerk called the roll and all members were present.

Mr. O'Brien assumed the Chair.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend J. Alan Justad of the First United Methodist Church of Olympia.

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

MESSAGES FROM THE SENATE

April 5, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE JOINT RESOLUTION NO. 109,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 5, 1973

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 130,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 5, 1973

Mr. Speaker:

The President 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.

Sidney R. Snyder, Secretary.

April 5, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 204,

SUBSTITUTE HOUSE BILL NO. 351,  
and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1110, by Representatives Martinis and Bagnariol:

AN ACT Relating to revenue and taxation; 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.

To Committee on Transportation and Utilities.

HOUSE CONCURRENT RESOLUTION NO. 50, by Representatives Bluechel and Ceccarelli:

Extending congratulations to Hyogo, Japan, with recognition of 10th year anniversary sister state relationship with our state.

To Committee on State Government.

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.

To Committee on State Government.

ENGROSSED SENATE JOINT RESOLUTION NO. 109, by Senators Grant, Ridder, Mardesich, Bailey, Walgren, Bottiger and Jolly:

Amending Constitution to authorize revision in tax structure.

MOTION

On motion of Mr. Charette, the rules were suspended and ENGROSSED SENATE JOINT RESOLUTION NO. 109 was advanced to second reading.

REPORTS OF STANDING COMMITTEES

April 5, 1973

HOUSE BILL NO. 903, Prime Sponsor: Representative King, relating to elections, reported by Committee on Constitution and Elections.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Conner, Eng, Erickson, Hayner, Knowles, Maxie.

April 4, 1973

HOUSE BILL NO. 928, Prime Sponsor: Representative Thompson, implementing the state liquor laws, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 10, section 3, beginning on line 19 after "forth" strike "minimum and maximum" and insert "reasonable"

On page 10, section 3, line 20 after "imposed" strike "for the" and insert "commensurate with"

On page 18, beginning on line 11, strike all of section 10 and renumber the remaining sections consecutively

On page 1, beginning on line 21 of the title after "RCW 66.28.090;" strike all the matter down to and including "RCW 66.44.010" on line 23

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Ehlers, Gaines, Kopet, Lysen, Moon, Perry, Polk, Thompson.

MINORITY recommendation: Do not pass. Signed by Representatives Cunningham, Hendricks, Hurley.

March 31, 1973

HOUSE BILL NO. 1059, Prime Sponsor: Representative Perry, establishing the Washington state women's council, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 3, line 3 after "appointed for" strike "four-year" and insert "three-year"

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Ehlers, Gaines, Hendricks, Moon, Perry, Thompson.

MINORITY recommendation: Do not pass. Signed by Representatives Cunningham, Curtis.

April 5, 1973

HOUSE BILL NO. 1093, Prime Sponsor: Representative Adams, relating to fees for professional licenses, reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Gallagher, Gilleland, Kuehnle, Leckenby, Perry, Randall.

April 5, 1973

HOUSE BILL NO. 1105, Prime Sponsor: Representative Luders, permitting the use of a short form for filing water rights claims, reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Luders, Chairman; Smith, Vice Chairman; Bauer, Beck, Bluechel, Charnley, Douthwaite, Goltz, McCormick, Nelson, Pullen, Valle, Zimmerman.

April 4, 1973

SENATE BILL NO. 2036, Prime Sponsor: Senator Odegaard, 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 Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Fortson, Jastad, Johnson, Kelley, May, Savage, Wojahn.

MINORITY recommendation: Do not pass. Signed by Representatives Cunningham, Freeman, Hendricks, Matthews, Paris, Smythe, Zimmerman.

April 5, 1973

SENATE BILL NO. 2190, Prime Sponsor: Senator Grant, granting the power of initiative and referendum to the voters in noncharter code cities, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 3, beginning on line 18 after "of the" strike all material 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"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Conner, Eng, Erickson, Knowles, Maxie.

April 4, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2226, Prime sponsor of original bill: Senator Fleming, providing residential landlord-tenant laws, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass 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  
"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 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"

Renumber the remaining subsections consecutively

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

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Hayner, Julin, Maxie, Shinpoch, Smith, Sommers.

March 31, 1973

ENGROSSED SENATE BILL NO. 2326, Prime Sponsor: Senator Durkan, authorizing state auditor to make recommendations for improved level of fiscal management, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Ehlers, Gaines, Hendricks, Moon, Perry, Thompson.

March 31, 1973

SENATE BILL NO. 2329, Prime Sponsor: Senator Atwood, providing for changes in the legal services revolving fund, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Cunningham, Ehlers, Gaines, Hendricks, Kopet, Moon, Perry, Thompson.

April 4, 1973

ENGROSSED SENATE BILL NO. 2491, Prime Sponsor: Senator Durkan, 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 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"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Fortson, Freeman, Hendricks, Johnson, Kelley, Matthews, May, Paris, Savage, Smythe, Wojahn, Zimmerman.

April 4, 1973

ENGROSSED SENATE BILL NO. 2513, Prime Sponsor: Senator Talley, raising salaries of county officials, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 18 strike everything down through "January 1, 1973." on line 30 of page 6 and insert the following:

"Beginning January 1, 1974, the salary of such office shall be as set by the county legislative authority of such county; 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.

Sec. 2. 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 are each amended to read as follows:

(1) The salaries of the ((following)) county officers of class A counties and counties of the first, second, third, fourth, fifth, sixth, seventh, eighth and ninth classes, as determined by the last preceding federal census, or as may be determined under the provisions of FCW 36.13.020 to 36.13.075, inclusive, shall be ((per annum respectively as follows:

Class A counties: Auditor, sixteen thousand dollars; clerk, sixteen thousand dollars; treasurer, sixteen thousand dollars; sheriff, seventeen thousand seven hundred dollars; assessor, sixteen thousand dollars; prosecuting attorney, twenty-two thousand five hundred dollars; members of board of county commissioners, seventeen thousand seven hundred dollars; coroner, fifteen thousand dollars;

Counties of the first class: Auditor, fourteen thousand five hundred dollars; clerk, fourteen thousand five hundred dollars; treasurer, fourteen thousand five hundred dollars; sheriff, sixteen thousand dollars;



assessor; fourteen thousand five hundred dollars; prosecuting attorney; twenty-two thousand five hundred dollars; members of board of county commissioners; sixteen thousand dollars; coroner; eight thousand dollars;

Counties of the second class: Auditor; thirteen thousand five hundred dollars; clerk; thirteen thousand five hundred dollars; treasurer; thirteen thousand five hundred dollars; sheriff; thirteen thousand five hundred fifty dollars; assessor; thirteen thousand five hundred dollars; prosecuting attorney; twenty-one thousand five hundred dollars; members of board of county commissioners; thirteen thousand five hundred dollars; coroner; five thousand dollars;

Counties of the third class: Auditor; twelve thousand five hundred dollars; clerk; twelve thousand five hundred dollars; treasurer; twelve thousand five hundred dollars; assessor; twelve thousand five hundred dollars; sheriff; twelve thousand five hundred dollars; prosecuting attorney; twenty-one thousand five hundred dollars; members of the board of county commissioners; twelve thousand five hundred dollars; coroner; three thousand six hundred dollars;

Counties of the fourth class: Auditor; eleven thousand dollars; clerk; eleven thousand dollars; treasurer; eleven thousand dollars; assessor; eleven thousand dollars; sheriff; eleven thousand dollars; prosecuting attorney; in such a county in which there is no state university; thirteen thousand dollars; prosecuting attorney; in such a county in which there is a state university or college; fifteen thousand dollars; members of the board of county commissioners; ten thousand dollars;

Counties of the fifth class: Auditor; nine thousand one hundred fifty dollars; clerk; nine thousand one hundred fifty dollars; treasurer; nine thousand one hundred fifty dollars; sheriff; ten thousand two hundred dollars; assessor; nine thousand one hundred fifty dollars; prosecuting attorney; twelve thousand dollars; members of the board of county commissioners; eight thousand five hundred dollars;

Counties of the sixth class: Auditor; nine thousand one hundred fifty dollars; clerk; nine thousand one hundred fifty dollars; treasurer; nine thousand one hundred fifty dollars; assessor; nine thousand one hundred fifty dollars; sheriff; ten thousand two hundred dollars; prosecuting attorney; nine thousand dollars; members of the board of county commissioners; six thousand four hundred dollars;

Counties of the seventh class: Auditor; eight thousand three hundred dollars; clerk; eight thousand three hundred dollars; treasurer; eight thousand three hundred dollars; assessor; eight thousand three hundred dollars; sheriff; nine thousand five hundred dollars; prosecuting attorney; nine thousand dollars; members of the board of county commissioners; five thousand nine hundred fifty dollars;

Counties of the eighth class: Auditor; eight thousand three hundred dollars; clerk; eight thousand three hundred dollars; treasurer; eight thousand three hundred dollars; assessor; eight thousand three hundred dollars; sheriff; nine thousand five hundred dollars; prosecuting attorney; nine thousand dollars; members of board of county

commissioners; five thousand nine hundred fifty dollars;

Counties of the ninth class: Auditor-clerk; seven thousand four hundred fifty dollars; sheriff; eight thousand five hundred dollars; treasurer-assessor; seven thousand four hundred fifty dollars; prosecuting attorney; nine thousand dollars; members of the board of county commissioners; five thousand five hundred dollars.

(2) The salaries of the following county officers in counties with a population over five hundred thousand shall be per annum respectively as follows: Auditor; clerk; treasurer; sheriff; members of board of county commissioners; coroners; eighteen thousand dollars; assessor; nineteen thousand dollars; and prosecuting attorney; twenty-seven thousand five hundred dollars) as set by the legislative authority of such county: 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: PROVIDED, FURTHER, That the legislature shall provide for salary increases for those members of the county legislative authority who would not receive their salary increase due to constitutional restrictions."

In line 3 of the title after "36.16.032;" and before "amending" insert "and"

In line 5 of the title after "36.17.020" and before the period strike "; and making an effective date"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Blair, Laughlin, Nelson, North (Frances), North (Lois), Paris, Patterson, Smythe, Zimmerman.

April 5, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2600, Prime sponsor of original bill: Senator Rasmussen, enacting the liquor board omnibus act, reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Gallagher, Gilleland, Kuehnle, Leckenby, Perry, Randall.

April 4, 1973

SENATE JOINT MEMORIAL NO. 118, Prime Sponsor: Senator Ridder, memorializing Congress with respect to Seattle's public service hospital, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Fortson, Jastad, Johnson, Kelley, May, Wojahn.

April 4, 1973

SENATE JOINT MEMORIAL NO. 120, Prime Sponsor: Senator Sellar, 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 Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Fortson, Hendricks, Johnson, Matthews, May, Paris, Wojahn.

April 5, 1973

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 105, Prime sponsor of original resolution: Senator Washington, 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: Do pass with the following amendment:

Strike all of the House Committee amendment, and on page 1, line 3 of the resolution after "THAT," strike all material down to and including the period on page 2, line 17 and insert the following:

"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.; 1880. The second legislature shall meet on the first Wednesday after the first Monday in January; A.D.; 1894; 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.)) A regular session of the legislature shall be convened each year on the second Monday of January, unless the legislature determines by statute a different annual date for the legislature to convene, in which case such different date shall govern. During each odd-numbered year, the regular session shall not be more than sixty consecutive days. During each even-numbered year, the regular session shall not be more than forty-five days. In addition to regular sessions of the legislature, a session shall be convened whenever specially convened by the governor."

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Conner, Eng, Erickson, Knowles, Maxie.

## MOTION

Mr. Charette moved that all standing committee reports listed on the fifth order of business be passed to the Committee on Rules for second reading.

The motion was carried.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 711, by Representatives Kuehnle, Bagnariol, Ceccarelli, Morrison and Gallagher:

Relating to gambling.

The House resumed consideration of Substitute House Bill No. 711 on second reading. (Bill substituted on April 5, 1973, and held for April 6, 1973, calendar.)

Mr. Tilly moved adoption of the following amendments:

On page 2, section 1, line 33 after "raffles," and before "and amusement" strike "Reno nights"

On page 7, section 2, line 32 after "found," strike "except as otherwise in subsection (18) of this section provided,"

On page 11, section 2, beginning on line 15 strike all of subsection (18) and renumber the remaining subsections consecutively

On page 12, section 3, line 21 after "games," and before "and social" strike "Reno nights"

On page 16, section 7, line 19 after "games," and before "and social" on line 20 strike "Reno nights"

On page 28, section 24, line 4 after "this act" strike everything down to and including "this act" on line 6

Mr. Charette demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Kraabel and McCormick.

On motion of Mr. Thompson, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments by Mr. Tilly to Substitute House Bill No. 711.

Representatives Tilly and Charnley spoke in favor of adoption of the amendments, and Representative Kuehnle spoke against their adoption.

The Speaker assumed the Chair.

Mr. Tilly spoke again in favor of the amendments.

The amendments by Mr. Tilly were not adopted.

Mr. Kraabel appeared at the bar of the House.

Mr. Curtis moved adoption of the following amendment:

On page 8, section 2, subsection (13), line 20 strike all of subsection (c) and renumber the remaining subsections accordingly.

Representative Curtis spoke in favor of the amendment, and Representatives Kuehnle and Wojahn spoke against it.

The amendment by Mr. Curtis to Substitute House Bill No. 711 was lost on a rising vote.

Mr. Williams moved adoption of the following amendment:

On page 16, section 7, line 28 after the colon strike "PROVIDED FURTHER, That the commission or director shall not issue, suspend or revoke any license because of considerations of race, creed, color or national origin:"

Representative Williams spoke in favor of adoption of the amendment, and Representatives Kuehnle and Charette spoke against it.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Williams.

Mr. Williams: "Mr. Charette, by the language in this particular proviso, if an organization were to in its by-laws discriminate on the basis of one of these aspects (race, creed, etc.) which not in any way was related to the purposes of that nonprofit corporation or otherwise, would you say this would then prohibit the commission from giving any consideration to that at all?"

Mr. Charette: "Mr. Williams, I am not trying to avoid the question, but I think that a direct answer is that this is an order to the commission not to discriminate."

Mr. Williams spoke again in favor of the amendment.

The amendment by Mr. Williams to Substitute House Bill No. 711 was not adopted.

Mrs. North (Lois) moved adoption of the following amendment:

On page 31, line 23 strike all of section 32.

Representatives North (Lois), Sommers, Charette, Chatalas and Kuehnle spoke in favor of the amendment.

The amendment by Mrs. North (Lois) to Substitute House Bill No. 711 was adopted.

Mr. Ceccarelli moved adoption of the following amendments by Representatives Ceccarelli and Eikenberry:

On page 20, section 11, line 24 following "same:" strike "PROVIDED, That should no such tax ordinance on such gambling activity, no license therefor in such respective jurisdiction, shall be issued by the commission:"

On page 29, section 28, line 31 after "for the" strike "authorization" and insert "taxation"

On page 29, section 28, line 32 following "or county" strike the comma and insert "and"

On page 30, section 29, line 2 following "effect" strike "; any such city, town, city-county or county may thereafter enact such local law as consistent with the provisions of this chapter"

Mr. Ceccarelli spoke in favor of adoption of the amendments.

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

Mr. Charette spoke against adoption of the amendments.

Mrs. McCormick appeared at the bar of the House.

Representatives Eikenberry, Douthwaite and Julin spoke in favor of adoption of the amendments, and Representatives Luders and Kuehnle spoke against it.

#### PARLIAMENTARY INQUIRY

Mr. Eikenberry: "Mr. Speaker, the amendment as proposed, as a matter of typographics, I believe, simply skipped over line 25. The language of the amendment includes preceding line 25 and after line 25. I wonder if we adopt this amendment, if it would not be understood that the language on line 25 would be included in the amendment?"

The Speaker: "This point was brought to our attention earlier, Representative Eikenberry. I don't think it would be incumbent on the engrosser of the bill to make such a correction, but since it has been brought to the attention of the body, and if there is no objection, the Chief Clerk will be so instructed to correct this. I think it is a rather obvious error. Otherwise, I imagine the best way to solve this would be an amendment to the amendment. However if there is no objection, we will so instruct the Chief Clerk. It is so ordered."

The amendment as corrected is as follows:

On page 20, section 11, line 24 following "same:" strike "PROVIDED, That should no such tax be levied by any county, city, city-county or town by local law or ordinance on such gambling activity, no license therefor in such respective jurisdiction, shall be issued by the commission:"

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

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representatives Ceccarelli and Eikenberry to Substitute House Bill No. 711, and the amendments were lost by the following vote: Yeas, 36; nays, 62; not voting, 0.

Voting yea: Representatives Bagnariol, Barden, Bausch, Ceccarelli, Charnley, Chatalas, Conner, Cunningham, Douthwaite, Eikenberry, Eng, Freeman, Gallagher, Gilleland, Hoggins, Hurley, Johnson, Julin, King, Kopet, Lysen, Matthews, Maxie, Moon, North F., North L., O'Brien, Parker, Polk, Pullen, Savage, Sommers, Swayze, Valle, Warnke, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charette, Clemente, Curtis, Ehlers, Ellis, Erickson, Flanagan, Fortson, Gaines, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Jastad, Juelling, Kalich, Kelley, Kilbury, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, May, McCormick, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Perry, Rabel, Randall, Schumaker, Shinpoch, Smith, Smythe, Thompson, Tilly, Van Dyk, Williams, Wilson, Wojahn, and Mr. Speaker.

Mr. Kelley moved adoption of the following amendments by Representatives Kelley, Amen, Charnley, Patterson and North (Lois):

On page 3, section 1, line 1 after "pull tabs," insert "single coin"

On page 6, section 2(9), line 28 after "gambling" strike the remainder of subsection (9) and insert the following ":PROVIDED, That a multiple coin pinball machine shall be deemed a gambling device: AND PROVIDED FURTHER, That a single coin pinball machine shall not be deemed a gambling device."

On page 12, section 2, line 18 after "him." insert the following:

"(22) 'Multiple coin pinball machine' means any pinball machine or similar mechanical amusement device which confers either an immediate or unrecorded right of replay on players thereof, or payment in lieu thereof, and which permits the insertion of more than a single coin before the completion of a game to vary either the chance of winning or the amount of replays or payment to be won.

(23) 'Single coin pinball machine' means any pinball machine or similar mechanical amusement device which requires the completion of a game after the insertion of a single coin before an additional coin may be inserted, and which confers only the right of replay and no payment in lieu thereof as a prize for playing thereof."

On page 12, section 3(2), line 28 after "cardrooms and" insert "single coin"

On page 16, section 7(1), line 21 after "cardrooms and" insert "single coin"

On page 17, section 7(2), line 6 after "cardrooms and" insert "single coin"

On page 20, section 11, line 28 after "That" strike everything down to and including "and" on line 32.

Re-number the remaining subsections consecutively.

Mr. Kelley spoke in favor of the amendments.

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

Representatives Kuehnle and Charette spoke against adoption of the amendments.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representatives Kelley, Amen, Charnley, Patterson and North (Lois) to Substitute House Bill No. 711, and the amendments were lost by the following vote: Yeas, 33; nays, 65; not voting, 0.

Voting yea: Representatives Barden, Blair, Bluechel, Brown, Charnley, Cunningham, Douthwaite, Eikenberry, Eng, Freeman, Gaspard, Goltz, Hoggins, Hurley, Johnson, Julin, Kelley, Kilbury, Knowles, Kopet, Leckenby, Luders, Lysen, Moon, North L., Pardini, Paris, Patterson, Polk, Rabel, Tilly, Valle, Wilson.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Ehlers, Ellis, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Jastad, Juelling, Kalich, King, Kraabel, Kuehnle, Laughlin, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Mr. Pardini moved adoption of the following amendment by Representatives Pardini and Paris:

On page 6, section 2, line 29 after "amusement device" strike everything down to and including "thereof," on page 7, line 5 and insert "which confers only an immediate and unrecorded right of replay on players thereof, or payment in lieu 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 a mechanism or a chute for dispensing coins or a facsimile thereof, and 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,"

Representatives Pardini, Charnley and Paris spoke in favor of adoption of the amendment.

#### POINT OF INQUIRY

Mr. Kelley: "Would Representative Pardini yield to a question?"



Mr. Pardini refused to yield to question.

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

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

Mr. Kuehnle discussed the amendment by Representatives Pardini and Paris.

#### POINT OF INQUIRY

Mr. Pardini stated he would now yield to question by Mr. Kelley.

Mr. Kelley: "There is an ambiguity in Representative Pardini's amendment, and I would like to ask this question although it might seem fairly obvious. Representative Pardini, is it the intent of your amendment to make a multiple-coin pinball device a gambling device within the meaning of this act?"

Mr. Pardini: "Mr. Kelley, while I do not believe there is an ambiguity in the amendment, it is my intent to make a multiple-coin, variable-odd pinball machine a gambling device--definitely."

Mr. Bagnariol spoke against adoption of the amendment by Representatives Pardini and Paris.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Pardini and Paris to Substitute House Bill No. 711, and the amendment was adopted by the following vote: Yeas, 72; nays, 26; not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Garrett, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Johnson, Jueling, Julin, Kelley, Kilbury, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Smith, Smythe, Sommers, Swayze, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Fortson, Gaines, Gallagher, Hansen, Jastad, Kalich, King, Laughlin, May, Perry, Savage, Shipoch, Thompson, and Mr. Speaker.

Mr. Ceccarelli moved adoption of the following amendment by Representatives Ceccarelli and Eikenberry:

On page 16, section 7, line 26 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 in any county, city-county, city or town unless such county, city-county, city or town by local law, resolution or ordinance shall prohibit such gambling activity: PROVIDED, FURTHER, That"

POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Williams.

Mr. Williams: "Representative Ceccarelli, as you understand the present bill (perhaps I should have asked Representative Kuehnle), does it require positive action in terms of authorizing gambling now?"

Mr. Ceccarelli: "As I understand it (Representative Kuehnle I understand is going to speak on this, so maybe he can clear it up), the way the bill is written now, a local authority under the local option provision can do nothing, and therefore eliminate gambling in that local authority. In other words, by doing nothing--by taking no action--gambling is prohibited. This merely says that gambling is legal unless they set forth an ordinance against it. So this makes them act in a positive way and addresses itself to Representative Charette's question as to allowing them to say 'yes' or 'no' in a positive way."

Representative Williams spoke against adoption of the amendment, and Representatives Kuehnle and Bagnariol spoke in favor of it.

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

Mr. Zimmerman spoke against adoption of the amendment, and Mr. Ceccarelli spoke again in favor of it.

POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Wilson.

Mr. Wilson: "I am curious. Under your amendment, would the state be issuing a license that the license holder could move from town to town, or to any part of the state?"

Mr. Ceccarelli: "No."

Mrs. Wojahn spoke against adoption of the amendment by Representatives Ceccarelli and Eikenberry, and Representatives Bagnariol, Eikenberry and Kuehnle spoke in favor of it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Ceccarelli and Eikenberry to Substitute House Bill No. 711, and the amendment was lost by the following vote: Yeas, 47; nays, 51; not voting, 0.

Voting yea: Representatives Adams, Bagnariol,

Barden, Bausch, Beck, Ceccarelli, Chatalas, Conner, Cunningham, Ehlers, Eikenberry, Ellis, Eng, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hendricks, Hurley, Johnson, Jueling, Julin, Kelley, King, Kopet, Kuehne, Maxie, May, North F., O'Brien, Pardini, Parker, Polk, Pullen, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Anderson, Bauer, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charette, Charnley, Clemente, Curtis, Douthwaite, Erickson, Flanagan, Fortson, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Jastad, Kalich, Kilbury, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, McCormick, Moon, Morrison, Nelson, Newhouse, North L., Paris, Patterson, Perry, Rabel, Randall, Smythe, Tilly, Van Dyk, Williams, Wojahn, Zimmerman.

Mr. Tilly moved adoption of the following amendments by Representatives Tilly, Paris, Hansey, Goltz, Cunningham and Hayner:

On page 3, section 1, line 1 after "pull tabs," and before "card rooms" on line 2 strike "pinball machines and similar mechanical amusement devices,"

On page 6, section 2, line 28 after "gambling." strike the remainder of the subsection.

On page 12, section 3, line 22 after "operate cardrooms" and before "when" on line 23 strike "and pinball machines or similar mechanical amusement devices"

On page 12, section 3, line 28 after "operate cardrooms" and before "when licensed" on line 29 strike "and pinball machines or similar mechanical amusement devices"

On page 16, section 7, line 21 after "operate cardrooms" and before "in accordance" on line 22 strike "and pinball machines or similar mechanical amusement devices"

On page 17, section 7, line 6 after "card rooms" and before "in accordance" on line 7 strike "and pinball machines or similar mechanical amusement devices"

On page 20, section 11, line 28 after "That (1)" strike everything down to and including "and (4)" on page 21, line 7 and renumber the remaining subsections consecutively

On page 21, section 11, beginning on line 27 after "therefrom." strike the remainder of the section

On page 28, section 24, line 2 after "applicable to" and before "gambling devices" on line 4 strike "pinball machines or similar mechanical devices as authorized in section 2(9) of this act or to"

Mr. Tilly spoke in favor of the amendments.

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

Representatives Goltz, Swayze, Tilly and Hayner spoke in favor of adoption of the amendments, and Representatives Pardini, Charette, May and Van Dyk spoke against their adoption.

## ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representatives Tilly, Paris, Hansey, Goltz, Cunningham and Hayner to Substitute House Bill No. 711, and the amendments were lost by the following vote: Yeas, 34; nays, 64; not voting, 0.

Voting yeas: Representatives Bagnariol, Barden, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Goltz, Hansey, Hayner, Johnson, Julin, Kilbury, Kraabel, Leckenby, Matthews, Maxie, North L., Paris, Pullen, Rabel, Smythe, Sommers, Swayze, Tilly, Wilson, Zimmerman, and Mr. Speaker.

Voting nays: Representatives Adams, Amen, Anderson, Bauer, Bausch, Beck, Bender, Benitz, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Haussler, Hendricks, Hoggins, Hurley, Jastad, Jueling, Kalich, Kelley, King, Knowles, Kopet, Kuehnle, Laughlin, Luders, Lysen, Martinis, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Shipoch, Smith, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

Mr. Charnley moved adoption of the following amendment:

On page 4, section 2(3), line 25 after "only" strike the remainder of the subsection.

Representatives Charnley and Williams spoke in favor of the amendment and Representative Kuehnle spoke against it.

The amendment by Mr. Charnley was not adopted.

Mr. Charnley moved adoption of the following amendment:

On page 5, section 2(5), line 26 after "charge" insert "only"

Mr. Charnley spoke in favor of the amendment and Mr. Charette spoke against it.

Mr. Charnley spoke again in favor of the amendment.

The amendment by Mr. Charnley was not adopted.

Mr. Charnley moved adoption of the following amendment:

On page 12, section 3(2), line 28 strike "or similar mechanical amusement devices"

Mr. Charnley spoke in favor of the amendment, and Mr. Kuehnle spoke against it.

The amendment was not adopted.

Mr. Charnley moved adoption of the following amendment:

On page 13, section 4, beginning on line 14 after "members" insert a period and strike all language down to and including "large." on line 22

Mr. Charnley spoke in favor of the amendment and Mr. Charette spoke against it.

The amendment was not adopted.

Mr. Charnley moved adoption of the following amendment:

On page 29, section 26, beginning on line 18, strike all of subsection (2).

Representatives Charnley, Charette and Julin spoke in favor of the amendment.

The amendment by Mr. Charnley to Substitute House Bill No. 711 was adopted.

Mr. Kelley moved adoption of the following amendment by Representatives Kelley and Charnley:

On page 11, section 2, line 13 after "and" strike "no part of the proceeds thereof" and insert "only one-quarter of the proceeds thereof, to a maximum of one hundred dollars, shall"

Mr. Kelley spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Kelley yielded to question by Mr. Julin.

Mr. Julin: "Representative Kelley, we have passed the charitable fraud bill. I wonder whether or not your proposed amendment doesn't run exactly counter to the provisions of that bill."

Mr. Kelley: "I'm sorry, I don't know the answer to that."

The amendment by Representatives Kelley and Charnley to Substitute House Bill No. 711 was not adopted.

The Clerk read the following amendment by Representatives Pardini and Paris:

On page 20, section 11, line 28 after "That (1)" strike everything down to and including "and (2)" on line 32 and renumber the remaining subsections consecutively

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

Mr. Randall moved adoption of the following amendment:

On page 21, section 11, line 7 after "pull-tabs;" strike everything down to and including "66 RCW" on line 10 and insert "chances on which shall only be sold to adults"

Mr. Randall spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Laughlin.

Mr. Laughlin: "With the recent legislation passed by this body and others as to what is an adult--that is, is he 18; is he 19; is he 21? Assuming this amendment passes and becomes law, how do you define 'adult' as you have mentioned in your amendment, Representative Randall?"

Mr. Randall: "I think, without question, we have crossed that bridge. Eighteen years and above is the age of majority."

Representatives Randall and Smith spoke in favor of the amendment.

The amendment by Mr. Randall to Substitute House Bill No. 711 was adopted on a rising vote.

#### MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Kalich.

Mr. Charette demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Kalich and Wilson.

On motion of Mr. Charette, the absent members were excused and the House proceeded with business under the Call of the House.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 711, by Representatives Kuehnle, Bagnariol, Ceccarelli, Morrison and Gallagher:

Relating to gambling.

The House resumed consideration of Substitute House Bill No. 711 on second reading.

Mr. Barden moved adoption of the following amendment by Representatives Barden and Williams:

On page 19, section 8, line 5 after "The" strike "department of motor vehicles," and insert "division of professional licensing of the department of motor vehicles or its successor,"

Representatives Barden and Williams spoke in favor of adoption of the amendment, and Representative Kuehnle spoke against it.

The amendment was lost on a rising vote.

Mr. Williams moved adoption of the following amendment:

On page 17, section 7(3), line 28 after "bona fide" and before "or" insert "charitable"

Representatives Williams and Kuehnle spoke in favor of the amendment.

The amendment was adopted.

Mr. Eng moved adoption of the following amendment by Representatives Eng, Charette and Kuehnle:

On page 3, section 1, line 2 after "card rooms," insert "Mah Jongg,"

Mr. Eng spoke in favor of the amendment.

The amendment was adopted.

Mr. Charnley moved adoption of the following amendment to Substitute House Bill No. 711:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. It is hereby declared to be the policy of the legislature, recognizing the close relationship between professional gambling and organized crime, to restrain all persons from seeking profit from professional gambling activities in this state; to restrain all persons from patronizing such professional gambling activities; to safeguard the public against the evils induced by common gamblers and common gambling houses engaged in professional gambling; and at the same time, both to preserve the freedom of the press and to avoid restricting participation by individuals in activities and social pastimes, which activities and social pastimes are more for amusement rather than for profit, do not maliciously affect the public, and do not breach the peace.

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 promoter so long as money or its equivalent does not pass to the promoter 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 section 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. (1) 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.

(2) When a violation of any provision of this chapter or any rule or regulation adopted pursuant hereto has occurred on any property or premises for which one or more licenses, permits, or certificates issued by this state, or any political subdivision or public agency thereof are in effect, all such licenses, permits and certificates may be voided and no license, permit, or certificate so voided shall be issued or reissued for such property or premises for a period of up to sixty days thereafter.

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."

Mr. Charnley spoke in favor of the amendment, and

Mr. Charette spoke against it.

Mr. Charnley spoke again in favor of the amendment.

Representatives Leckenby, Williams and North (Lois) spoke in favor of adoption of the amendment by Mr. Charnley to Substitute House Bill No. 711, and Mr. Kuehnle spoke against it.

The amendment by Mr. Charnley was not adopted.

Mr. Wilson appeared at the bar of the House.

On motion of Mrs. North (Lois), the following amendment to the title was adopted:

On page 2, line 13 of the title, strike "; and declaring an emergency"

Mr. Kalich appeared at the bar of the House.

Substitute House Bill No. 711 was ordered engrossed.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 711 be placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Substitute House Bill No. 711 to third reading and final passage, and the motion was carried by the following vote: Yeas, 76; nays, 22; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hurley, Jastad, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Parker, Patterson, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Swayze, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barden, Blair, Bluechel, Charnley, Eikenberry, Freeman, Hayner, Hoggins, Johnson, Julin, Kraabel, Matthews, North L., Paris, Polk, Pullen, Rabel, Smythe, Sommers, Tilly, Williams, Zimmerman.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be Engrossed Substitute House Bill No. 711 on final passage.

Mr. Kuehnle spoke in favor of the bill.

#### POINT OF INQUIRY



Mr. Eikenberry yielded to question by Mr. Ceccarelli.

Mr. Ceccarelli: "Representative Eikenberry, under the local option provisions of this bill, may a local legislative authority adopt its own peculiar variations of any gambling form?"

Mr. Eikenberry: "Representative Ceccarelli, thank you for asking, because I think it is important that we do establish as a matter of record the answer to that question. I would like to express my impression of the answer, and also the impression of Representative Kuehne, I believe, who has worked on this bill long and hard. I believe the only proper answer is that a local legislative authority may adopt an ordinance which puts into effect the form of gambling authorized by this statute, and not some peculiar variance that may be less than what is authorized by the statute. The reason I think this is so important is to prevent any further fragmentation than will already occur under the local option provisions."

Representatives Julin, Sommers, Pullen and Eikenberry spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 711, and the bill passed the House by the following vote: Yeas, 73; nays, 25; not voting, 0.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehne, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., O'Brien, Pardini, Parker, Patterson, Perry, Randall, Savage, Schumaker, Shipoch, Smith, Swayze, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nays: Representatives Barden, Blair, Bluechel, Charnley, Douthwaite, Eikenberry, Freeman, Gilleland, Hayner, Hoggins, Julin, Kraabel, Leckenby, Matthews, Newhouse, North L., Paris, Polk, Pullen, Rabel, Smythe, Sommers, Tilly, Williams, Zimmerman.

Engrossed Substitute House Bill No. 711, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

Substitute House Bill No. 711 (Gambling)

After the House had permitted pinballs, undefined mechanical devices, and "Reno Nights," this measure went far beyond what the people approved last fall; namely, bingo and raffles. It will result in more family economic difficulties by persons not able to resist pinball machines or other gambling devices. It can mean real enforcement problems for local government.

HAROLD S. ZIMMERMAN  
17th District.

## MOTION

Mr. Thompson moved that the House do now consider HOUSE JOINT RESOLUTION NO. 6 on second reading.

The motion was carried.

HOUSE JOINT RESOLUTION NO. 6, by Representative Savage:

Allowing bills introduced at a session to carry over to subsequent sessions of the same legislature.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendment see Journal for twelfth day, Ex. Sess., March 20, 1973.)

The resolution was read the second time.

On motion of Mr. King, the committee amendment was adopted.

House Joint Resolution No. 6 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Joint Resolution No. 6 was placed on final passage.

## POINT OF INQUIRY

Mr. Savage yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Savage, in reading the language of this constitutional amendment, I am wondering if this would prohibit the introduction of a bill in both Houses at the same time--that is to implement dual sponsorship which is a reform many of us have worked for, for a number of years?"

Mr. Savage: "I hadn't any idea of trying to do that. I made no effort to legalize that because I thought that was another subject. I do think the amendment that the committee put on, changing the language to that extent is a very fine amendment. No, I didn't do anything to make it possible to introduce them. I just thought it better to

have one single item to consider in this. I am for joint introduction, but I didn't take care of it here."

Representatives Morrison and Brown spoke in favor of passage of the resolution, and Representative Pardini spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 6, and the resolution passed the House by the following vote: Yeas, 89; nays, 9; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Kuehnle, Pardini, Pullen, Schumaker, Smythe, Wilson, Zimmerman.

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

SUBSTITUTE HOUSE BILL NO. 1060, by Representatives Bagnariol, Randall, Sommers and Williams:

Limiting aggregate property tax levies to one percent of true and fair value.

#### MOTION

Mr. Thompson moved that the House defer consideration of Substitute House Bill No. 1060 and that the bill be ordered placed on tomorrow's second reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2365, by Committee on Social and Health Services (Originally sponsored by Senators Durkan, Woodall, Ridder, Connor and Knoblauch - by Lt. Governor request):

Regulating emergency medical care and health services.

The House resumed consideration of Engrossed Substitute Senate Bill No. 2365 on second reading. (See Journal for twenty-eighth day, Ex. Sess., April 5, 1973, for previous action.)

Mr. Zimmerman moved adoption of the following amendment by Representatives Zimmerman and Adams:

On page 9, section 16, line 22 after "the" and before "at" strike "secretary" and insert "department"

Representatives Zimmerman and Parker spoke in favor of the amendment.

The amendment was adopted.

Mr. Adams moved that the committee amendment to page 10, adding a new section 19, be adopted. (For committee amendment see Journal for eighth day, Ex. Sess., March 16, 1973.)

Representatives Adams, Conner and Nelson spoke in favor of the amendment and Representative Matthews spoke against it.

#### POINT OF INQUIRY

Mr. Matthews: "Would Dr. Adams yield to question, please?"

Representative Adams refused to yield to question.

Mr. Parker yielded to question by Mr. Matthews.

Mr. Matthews: "Maybe there is some confusion over this, and maybe the confusion is on my part. As I understood the last committee amendment, we struck section 19, and that is what we are passing on now. I understand now that we want to retain section 19. Could I get some clarification?"

Mr. Parker: "As far as I know, everybody agrees on the amendment that is now before us."

Mr. Matthews: "My question is: Is the committee amendment striking section 19, or is the committee amendment retaining section 19?"

Mr. Parker: "Representative Matthews, it is retaining section 19."

Mr. Matthews spoke in favor of the amendment.

The committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2365 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2365 as amended by the House, and the bill passed the House by the following vote: Yeas, 77; nays, 21; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, O'Brien, Paris, Parker, Patterson, Perry, Pabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Beck, Benitz, Flanagan, Hansen, Haussler, Hayner, Hurley, Kopet, Kuehnle, Leckenby, May, North F., North L., Pardini, Polk, Pullen, Schumaker, Swayze, Warnke, Zimmerman.

Engrossed Substitute Senate Bill No. 2365 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2840, by 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. ,

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2840 was placed on final passage.

Representatives Savage and Bauer spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2840, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze,

Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Leckenby, Rabel.

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

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

HOUSE BILL NO. 966, by Representatives Van Dyk and Zimmerman:

Providing for determination of municipal water rates.

The House resumed consideration of House Bill No. 966 on second reading. (For previous action, see Journal for twenty-eighth day, Ex. Sess., April 5, 1973.)

On motion of Mr. Haussler, the remaining three committee amendments were adopted (page 1, line 17; page 1, line 24; and page 2, beginning on line 30).

Mr. Smythe moved adoption of the following amendment:

On page 3, section 2, line 8 add a new subsection as follows:

"(3) The interim committee on local government shall study the results of this act and submit their evaluation and any recommendations to the first 1974 extraordinary session."

Representatives Smythe and Van Dyk spoke in favor of adoption of the amendment.

The amendment was adopted.

House Bill No. 966 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 966 was placed on final passage.

Representatives Van Dyk and Zimmerman spoke in favor of passage of the bill, and Representative North (Frances) spoke against it.

#### POINT OF INQUIRY

Mr. Van Dyk yielded to question by Mr. Julin.

Mr. Julin: "Representative Van Dyk, I believe the city of Mercer Island receives its municipal water supply by contract with the city of Seattle. Now would the effect

of this bill be that the water rates charged to residents and citizens of Mercer Island would have to be the same as those charged for the same water in the city of Seattle?"

Mr. Van Dyk: "I don't believe that is my understanding. As I read the bill, it talks about a reasonable and uniform rate for a class of customers and then talks to the point that you must consider any and all of the following factors: The difference in cost of service to the various customers; the difference in cost of maintenance, operation, repair, and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the water furnished; the time of its use and capital contributions made. I think all these figures go into a cost accounting of what should be a fair and reasonable charge. So the charge may be the same, but I would probably expect it to differ."

Representative Julin spoke against passage of the bill, and Representatives Smythe and Hansey spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 966, and the bill passed the House by the following vote: Yeas, 74; nays, 22; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ellis, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Kelley, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North L., O'Brien, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Benitz, Blair, Curtis, Ehlers, Eikenberry, Eng, Erickson, Freeman, Garrett, Hoggins, Juelling, Julin, Kalich, Kilbury, Kopet, Nelson, North F., Pardini, Polk, Pullen, Sommers, Tilly.

Not voting: Representatives Hansen, Kraabel.

Engrossed House Bill No. 966, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### THIRD 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 third time and placed on final passage.

Mr. Lysen spoke in favor of the memorial.

#### MOTION

Mr. Newhouse moved that House Joint Memorial No. 21 be indefinitely postponed.

Mr. Newhouse spoke in favor of the motion.

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

Mr. Lysen spoke against the motion by Mr. Newhouse.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Newhouse that House Joint Memorial No. 21 be indefinitely postponed, and the motion was lost by the following vote: Yeas, 37; nays, 58; not voting, 2.

Voting yea: Representatives Amen, Barden, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Polk, Pullen, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Moon, North F., O'Brien, Paris, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives May, Rabel.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be House Joint Memorial No. 21 on final passage.



## ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 21, and the memorial passed the House by the following vote: Yeas, 59; nays, 38; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representative May.

House Joint Memorial No. 21, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 607, by Representatives Gallagher, McCormick, Knowles and Gaines:

Regulating tow trucks.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 607, and the bill passed the House by the following vote: Yeas, 62; nays, 33; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Berentson, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bauer, Benitz, Blair, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Garrett, Hayner, Hendricks, Hoggins, Julin, Kopet, Kraabel, Kuehnle, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Polk, Pullen, Rabel,

Schumaker, Sommers, Thompson, Tilly, Wilson, Zimmerman.  
Not voting: Representatives Bluechel, Juelling,  
 Swayze.

Engrossed House Bill No. 607, having received the constitutional 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. 649, by Representatives Bender, Conner and Curtis:

Specifying bonding and cancellation procedures to be followed on public works projects affected by environmental litigation.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 649, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 649, having received the constitutional 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. 785, by Representatives Conner, Brown, Bausch, Douthwaite, Chatalas and Wojahn:

Increasing the minimum wage.

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

Representatives Savage, Conner, Clemente, Smythe and Kilbury spoke in favor of passage of the bill, and Representatives North (Lois), Barden and Schumaker spoke against it.

Mr. Savage closed debate, speaking again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 785, and the bill passed the House by the following vote: Yeas, 68; nays, 28; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hendricks, Julin, Kopet, Kuehnle, Morrison, Nelson, Newhouse, North L., Pardini, Polk, Pullen, Schumaker, Swayze, Tilly, Wilson.

Not voting: Representatives Hansey, Matthews.

Engrossed House Bill No. 785, having received the constitutional 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. 962, by Representatives Ehlers, Savage, Wojahn and May:

Revising the law relating to industrial welfare.

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

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

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Laughlin.

Mr. Laughlin: "Is there any provision in this law that would allow some employers to rotate senior employees from light duty positions to heavy duty positions requiring that they use physical labor which they no longer possess?"

Mr. Ehlers: "It is my understanding that in no way could companies force employees of either sex who are approaching retirement age to accept positions which they are not particularly physically able to perform."

Representatives Laughlin and Wojahn spoke in favor of passage of the bill, and Representative Morrison spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 962, and the bill passed the House by the following vote: Yeas, 68; nays, 30; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Paris, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Juelling, Julin, Kopet, Kraabel, Leckenby, Matthews, Morrison, Newhouse, Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Tilly.

Engrossed House Bill No. 962, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Charette, all bills passed today were ordered transmitted immediately to the Senate.

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

On motion of Mr. Thompson, HOUSE BILL NO. 226 was rereferred from the Committee on Ways and Means - Revenue to the Committee on Transportation and Utilities.

#### MESSAGES FROM THE SENATE

April 6, 1973

Mr. Speaker:

The President 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.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) stated the Speaker signed:

SUBSTITUTE SENATE BILL NO. 2227,  
 SENATE BILL NO. 2312,  
 SENATE BILL NO. 2339,  
 SENATE CONCURRENT RESOLUTION NO. 125.

## MOTIONS

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

On motion of Mr. Charette, the House recessed until 7:00 p.m.

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 EVENING SESSION  
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The House was called to order at 7:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

## MESSAGE FROM THE SENATE

April 6, 1973

Mr. Speaker:

The President has 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,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## SECOND READING

HOUSE BILL NO. 435, By Representatives Bausch, Hendricks, Thompson, Adams, Bender, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kilbury, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North (Frances), Paris, Parker, Savage, Smith, Valle, Van Dyk, Warnke, Wojahn and Williams (by Public Employees' Retirement Board request):

Making certain revisions in the public employees' retirement system.

## MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 435 and the bill was ordered placed at the bottom of the second reading calendar.

HOUSE BILL NO. 340, by Representatives Morrison, Johnson, Smythe and Maxie (by Department of Social and Health Services request):

Implementing law on tuberculosis hospitalization and control.

## MOTION

Mr. Parker moved that Substitute House Bill No. 340 be substituted for House Bill No. 340, and the substitute bill be placed on the calendar for second reading.

Representatives Morrison and Zimmerman spoke against the motion, and Representative Parker spoke in favor of it.

## MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 340, and the bill was ordered placed at the bottom of the second reading calendar.

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.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendments see Journal for twenty-seventh day, Ex. Sess., April 4, 1973.)

The bill was read the second time.

Mr. Shinpoch moved adoption of the committee amendment adding two new sections.

Mr. Goltz spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Shinpoch, the committee amendment to the title was adopted.

House Bill No. 428 was ordered engrossed.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 428 be placed on final passage.

The motion was carried on a rising vote.

Mrs. Johnson spoke in favor of the bill, and Mr. Matthews spoke against it.

Mrs. Johnson spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 428, and the bill passed the House by the following vote: Yeas, 65; nays, 32; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bender, Benitz, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Goltz, Hansen, Hansey, Haussler, Hayner, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Laughlin, Leckenby, Luders, Lyser, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bausch, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gaspard, Gilleland, Hendricks, Hoggins, Jueling, Julin, Kraabel, Kuehnle, Matthews, Nelson, North L., Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Warnke, Wilson.

Not voting: Representative Kelley.

Engrossed House Bill No. 428, having received the constitutional majority was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 505, by Representatives Hoggins, Eng, Clemente, Fortson, Knowles, Leckenby, Bender and Parker:

Specifying procedures for maintaining certain records of juveniles.

#### MOTION

On motion of Mr. Kelley, Substitute House Bill No. 505 was substituted for House Bill No. 505, and the substitute bill was placed on the calendar for second reading. Substitute House Bill No. 505 was read the second time.

Mr. Kilbury moved adoption of the following amendment by Representatives Kilbury and Hoggins:

On page 1, section 1, line 26 after "is" strike "twenty-one" and insert "eighteen"

Representatives Kilbury and Knowles spoke in favor of the amendment.

The amendment was adopted.

Substitute House Bill No. 505 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 505 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 505, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed Substitute House Bill No. 505, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments see Journal for fourteenth day, Ex. Sess., March 22, 1973.)

The bill was read the second time.

On motion of Mr. Ceccarelli, the committee amendment to page 1, line 10 was adopted.

Mr. Ceccarelli moved adoption of the committee amendment adding new sections to page three.



On motion of Mr. Bagnariol, the following amendment to the amendment was adopted:

Beginning on line 1 of the committee amendment, strike all of section 4 and renumber the remaining sections consecutively

On motion of Mr. Bagnariol, the following amendment to the committee amendment was adopted:

In the last line of subsection (1) of section 5, after "agreements" and before the period insert "to the extent that such agreements provide indemnity to the contract holder"

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment as amended.

Mr. Bagnariol spoke in favor of the amended amendment.

POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Lysen.

Mr. Lysen: "Representative Bagnariol, on this term 'indemnify,' are the panel medicine programs such as Kaiser and Group Health considered indemnifying?"

Mr. Bagnariol: "Group Health, under their normal operation, I don't believe is considered to be indemnifying, and I am not that familiar with Kaiser."

Mr. Lysen: "So that would not come under the provisions of this act?"

Mr. Bagnariol: "The amendment that I just put on, I hope, cleared that up."

The committee amendment, as amended, was adopted.

On motion of Mr. Bagnariol, the following amendment was adopted:

On page 1, section 2, line 21 strike all of sections 2 and 3

On motion of Mr. Julin, the following amendment was adopted:

On page 1, section 1, line 14 before the period strike "thereby"

On motion of Mr. Bagnariol, the committee amendment to the title was adopted.

On motion of Mr. Bagnariol, the following amendment to the title was adopted:

Beginning on line 1 of the title, after "care;" strike all the material down to and including "section" on line 5 and insert "adding new sections"

House Bill No. 552 was ordered engrossed.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 552 be placed on final passage.

Mr. Douthwaite spoke against the motion.

POINT OF ORDER

Mr. Charette: "Mr. Speaker, my point of order is that under a suspension of the rules, I believe it has been the custom of the House to allow a short explanation on either side--not a speech."

The Speaker (Mr. O'Brien presiding): "Mr. Douthwaite, if you will hold your remarks as closely as you possibly can to your opposition to the motion to suspend the rules for advancement of Engrossed House Bill No. 552, your remarks will be in order."

Mr. Douthwaite concluded his remarks in opposition to the motion, and Mr. Bagnariol spoke in favor of it.

The motion by Mr. Conner was lost on a rising vote.

Engrossed House Bill No. 552 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 593, by Representatives Williams, Flanagan, Moon, Pardini, Van Dyk, Ceccarelli, Charnley, North (Lois), Randall, Haussler, Hurley, Bagnariol and Perry:

Providing for certain property tax exemptions.

MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 593, and the bill was ordered placed on the calendar following House Bill No. 1055.

HOUSE BILL NO. 674, 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.

MOTION

On motion of Mr. Adams, Substitute House Bill No. 674 was substituted for House Bill No. 674, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 674 was read the second time.

On motion of Mr. Rabel, the following amendment by Representatives Rabel and Wojahn was adopted:

On page 7, section 11, line 25 after "audiologist" strike all material down to and including "aid" on line 31

Mr. Polk moved adoption of the following amendment: Beginning on page 9 strike sections 15, 16 and 17. Renumber the remaining sections consecutively and correct the internal references

Mr. Polk spoke in favor of the amendment, and Mrs. Wojahn spoke against it.

The amendment was adopted on a rising vote.

Substitute House Bill No. 674 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 674 was placed on final passage.

Mrs. Wojahn spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 674, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hanser, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Kuehne.

Engrossed Substitute House Bill No. 674, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

The bill was read the second time.

On motion of Mr. King, the following amendment by Representatives King, Patterson and Charnley was adopted:

On page 1, section 1, line 13 after "assess" and before the comma insert "(for a period not to exceed twenty-four months from the period of assessment)"

House Bill No. 820 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 820 was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Patterson yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Patterson, are there any statutory requirements or even university requirements relative to the time period over which you must announce that an election is going to be held? Publication of notice of the election? Minimum number of votes of students to validate an election? What steps must be taken in order to have this election to assess these funds?"

Mr. Patterson: "I'll try to answer your nine-part question, Representative Kuehnle. First of all: Yes, annually at each of the institutions they do have regular elections when they elect their student body officers and other propositions that are being considered by students. This fee, obviously, would have to be authorized, and the board of regents would have to authorize it being levied at an election held in the spring, which is applied to the fall. In other words, they would have the several months after the regular election on the campus to campaign and put forth their proposals as to what this mandatory fee would be used for. Did I answer all of them?"

Mr. Kuehnle: "I think my concern is the language that says 'That after receiving favorable support from a majority of students voting in a student body election.' I want to be assured that this election that we are talking about here is a regular election at which there is some other reason for students to come out to vote. Really, under the wording, as I would interpret it, somebody could whip up an idea to have a special election to assess five dollars for some purpose and that would be a student body election. I hope that interpretation is wrong, but I would like clarification of it."

Mr. Patterson: "Certainly I can't speak for all the institutions. I am sure that would be wrong at the institution that I am associated with. I am sure there would be no attempt on the part of the students and there would be no authority on the part of the administration to allow them, in a very short period of time, to set up an election for the purpose of establishing mandatory fees on

the total student body. I would like to mention, at least at WSU, the turnout and the participation in student body elections have been exceptionally good. It is probably well above the national average. They have always had between 45 and 50 percent of the students participating in their elections. I assure you it will be very difficult for them to run an election that is going to provide for a mandatory fee, without having a good solid participation of the students."

## POINT OF INQUIRY

Mr. Patterson yielded to question by Mr. Thompson.

Mr. Thompson: "Representative Patterson, I am concerned about the language in this bill because it is so similar to a union shop bill that the Governor recently vetoed a portion of. I wonder what effect the veto would be of the word 'voting' from this measure. The Governor felt, in his veto message to us, that in the formation of a bargaining unit that it should be formed only on the basis of the majority of employees in the bargaining unit. And here we are suggesting that just a majority of students voting in a student body election could take this important step. Have you consulted . . ."

## POINT OF ORDER

Mr. Rabel: "I think Mr. Thompson is asking a question entirely in speculation and not in relation to this particular bill."

The Speaker (Mr. O'Brien presiding): "Mr. Patterson?"

Mr. Patterson: "The question is moot."

## POINT OF INQUIRY

Mr. Patterson yielded to question by Mr. Eikenberry.

Mr. Eikenberry: "Mr. Speaker, my question is going to be pointed to Mr. Patterson, but it has general application, and that is: If the student body so decided, could they raise this assessment and by their vote decide to run a candidate against you?"

Mr. Patterson: "No, I don't believe so."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 820, and the bill passed the House by the following vote: Yeas, 50; nays, 43; not voting, 5.

Voting yea: Representatives Amen, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Bluechel, Charette, Chatalas, Clemente, Curtis, Ehlers, Ellis, Fortson, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hayner, Hendricks, Jastad, Kalich, Kilbury, King, Kopet, Maxie, McCormick, Morrison, North F., North L., O'Brien,

Pardini, Patterson, Perry, Pullen, Rabel, Shinpoch, Smythe, Sommers, Swayze, Tilly, Van Dyk, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Adams, Anderson, Barden, Berentson, Blair, Brown, Ceccarelli, Charnley, Conner, Cunningham, Douthwaite, Eikenberry, Eng, Erickson, Flanagan, Freeman, Gallagher, Hansen, Hoggins, Hurley, Johnson, Juelling, Julin, Kelley, Knowles, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, May, Moon, Nelson, Paris, Polk, Randall, Savage, Schumaker, Thompson, Valle, Warnke.

Not voting: Representatives Leckenby, Newhouse, Parker, Smith, and Mr. Speaker.

Engrossed House Bill No. 820, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION FOR RECONSIDERATION

Mr. Beck, having voted on the prevailing side, moved that the rules be suspended and that the House do now reconsider the vote by which Engrossed House Bill No. 820 passed the House.

The motion was carried.

#### RECONSIDERATION

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the reconsideration of final passage of Engrossed House Bill No. 820.

#### ROLL CALL

The Clerk called the roll on the reconsideration of final passage of Engrossed House Bill No. 820, and the bill passed the House by the following vote: Yeas, 82; nays, 16; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Bausch, Cunningham, Eikenberry, Flanagan, Hurley, Johnson, Juelling, Julin, Kuehnle, Lysen, May, Polk, Schumaker, Valle, Warnke.

Engrossed House Bill No. 820, having received the constitutional majority, was declared passed. There being

no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1055, by Representatives Van Dyk, Charnley, Rabel, Goltz, Kilbury and Lysen:

Providing for the regulation of perishable packaged food goods.

MOTION

On motion of Mr. Kilbury, Substitute House Bill No. 1055 was substituted for House Bill No. 1055, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1055 was read the second time.

Mr. Hansey moved adoption of the following amendments by Representatives Hansey and North (Lois):

On page 1, section 1, line 16 after "sale" insert "to the public"

On page 1, section 2, line 22 after "sale" insert "to the public"

Representatives Hansey and Kilbury spoke in favor of the amendments.

The amendments were adopted.

On motion of Mr. Hansey, the following amendments by Representatives Hansey and North (Lois) were adopted:

On page 1, section 1, line 18 after "quality" insert "if stored under proper temperature conditions"

On page 2, section 5, line 24 after the period insert:

"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."

Mr. Curtis moved adoption of the following amendment by Representatives Hansey, Curtis and North (Lois):

On page 2, section 3, line 9 after "health, and" insert "if they are separated from other food and"

Mr. Curtis spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Curtis yielded to question by Mr. Van Dyk.

Mr. Van Dyk: "For the purpose of the record, Representative Curtis, will you explain your amendment?"

Mr. Curtis: "Thank you, Representative Van Dyk, I

would be happy to: Simply that the wording here should not be construed to mean set aside totally in a different fixture, but simply that it must be clearly defined as having passed the pull date, hopefully in a separate row or separate category, and marked as such, or signed as such."

The amendment was adopted.

Substitute House Bill No. 1055 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1055 was placed on final passage.

Mr. Van Dyk spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Curtis yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Curtis, typically in the food industry, if you had a quantity of post-dated products--25 gallons of milk or 25 pounds of hamburger or something else which had gone past the pull date, and you were a little leery about whether it was wholesome or not and apprehensive about selling it to me for human consumption, or to anyone else for human consumption--what generally speaking would you do with that commodity?"

Mr. Curtis: "Destroy it."

Mr. Kuehnle: "What if I wanted to buy it to feed to the animals at the local zoo? If I'm looking for good buys in merchandise of this type for nonhuman consumption, it appears to me that under the terms of this bill, you would be prohibited from selling it to me, regardless of whether it was going to be eaten by humans or animals or anyone else."

Mr. Curtis: "That may very well be. Your point is well made, Mr. Kuehnle, in that particular instance. If you and I had a clear buying relationship that I knew the product was going to feed the animals in the zoo, and not people, then I probably would attempt to sell it to you probably at a reduced price. Under this bill perhaps I would be precluded from doing that."

Mr. Kuehnle spoke against passage of the bill, and Mr. Van Dyk spoke again in favor of the bill.

Representatives Curtis and North (Lois) spoke in favor of passage of the bill.

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



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1055, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cunningham, Hansen, Haussler, Schumaker.

Not voting: Representative Kopet.

Engrossed Substitute House Bill No. 1055, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 593, by Representatives Williams, Flanagan, Moon, Pardini, Van Dyk, Ceccarelli, Charnley, North (Lois), Randall, Haussler, Hurley, Bagnariol and Perry:

Providing for certain property tax exemptions.

## MOTION

On motion of Mr. Randall, Substitute House Bill No. 593 was substituted for House Bill No. 593, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 593 was read the second time.

Mr. King moved adoption of the following amendment:

On page 2, section 3, line 31 strike "an occasional" and insert "a nonexclusive"

Representatives King and Randall spoke in favor of the amendment, and the amendment was adopted.

On motion of Mr. Randall, the following amendment was adopted:

On page 8, section 8, line 4 after "All" and before "public" strike "lands used exclusively for" and insert "property used in the provision of or as"

On motion of Mr. Randall, the following amendment was adopted:

On page 13, section 15, line 27 after "All" and before "public" strike "lands used exclusively for" and insert "property used in the provision of or as"

On motion of Mr. Charnley, the following amendment by Representatives Charnley and Leckenby was adopted:

On page 15, section 16, line 30 insert the following new subsection:

"(16) All property owned and used by nonprofit charitable organizations, associations or corporations for the provision of short-term housing for transient residents and those yet unable to cope with independent living."

On motion of Mr. Newhouse, the following amendments by Representatives O'Brien and Newhouse were adopted:

On page 19, section 20, line 3 before "file" strike "annually" and insert "biennially"

On page 19, section 20, line 6 after "of the" and before "for which" strike "year" and insert "first year of the biennium"

On page 19, section 21, line 9 after "address" and before the period insert "who must make a biennial renewal application for continued exemption"

On page 19, section 21, line 15 after "previous" and before "on" strike "year" and insert "biennium"

Mr. Newhouse moved adoption of the following amendment by Representatives O'Brien and Newhouse:

On page 19, section 22, line 32 after "of" and before "dollars" strike "ten" and insert "five"

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

Mr. Newhouse spoke again in favor of the amendment.

The amendment was adopted.

On motion of Mr. Newhouse, the following amendments by Representatives O'Brien and Newhouse were adopted:

On page 19, section 22, line 33 before "renewal" strike "annual"

On page 20, section 24, line 16 after "or" and before "renewed" strike "annually"

Mr. Cunningham moved adoption of the following amendment by Representatives Cunningham, Randall and Eikenberry:

On page 22, section 26, following line 15 and before section 27, insert the following:

"When an exempt entity disposes of tax exempt property it shall be subject to and shall pay a tax at the rate of twenty-five percent of the difference between the cost of the property to the exempt entity and the sales prices, less the cost of such sale. All taxes made payable pursuant to the provisions of this paragraph shall be due and payable to the county treasurer within thirty days after the date of the closing of sale of the property. The

county treasurer shall allocate such revenue in proportion to regular property tax levied by those taxing jurisdictions within which such property is located."

POINT OF ORDER

Mr. Flanagan: "Mr. Speaker, I would like to ask for your ruling on the scope and object of this amendment. I think this bill deals entirely with property taxes and property tax exemptions for nonprofit organizations. This amendment appears to be an income tax on capital gains, which would be out of line with the scope and object of the bill. Also, inasmuch as we have never passed a constitutional amendment to allow an income tax, I think it would be somewhat out of order in that respect, too."

RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "The point of order was raised by Mr. Flanagan on whether or not the amendment offered by Representatives Cunningham, Randall and Eikenberry is germane to the main proposition. It appears to the Speaker that this proposed amendment is a tax on income and doesn't pertain to taxes on property and the ad valorem interpretation. It is not germane or relevant to the main proposition. Your point of order is well taken, Mr. Flanagan. The amendment is out of order."

Substitute House Bill No. 593 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 593 was placed on final passage.

Mr. Williams spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 593, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed Substitute House Bill No. 593, having

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

## MOTIONS

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

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Saturday, April 7, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTIETH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, April 7, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Sommers who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend H. G. Luscombe of the First United Methodist Church of Olympia.

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

MESSAGES FROM THE SENATE

April 6, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2186,  
SENATE BILL NO. 2262,  
ENGROSSED SENATE BILL NO. 2289,  
SENATE BILL NO. 2399,  
ENGROSSED SENATE BILL NO. 2456,  
ENGROSSED SENATE BILL NO. 2598,  
ENGROSSED SENATE BILL NO. 2697,  
SENATE BILL NO. 2790,  
ENGROSSED SENATE BILL NO. 2914,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 6, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2009,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 6, 1973

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2918,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 6, 1973

Mr. Speaker:

The Senate has passed:  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2247,  
 and the same is herewith transmitted.  
 Sidney R. Snyder, Secretary.

April 6, 1973

Mr. Speaker:

The Senate has passed:  
 ENGROSSED HOUSE BILL NO. 300,  
 ENGROSSED HOUSE BILL NO. 482,  
 and the same are herewith transmitted.  
 Sidney R. Snyder, Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

April 3, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 119 with the following amendments:

On page 1, section 1, line 22, strike all of line 22 and insert "prior to the hearing on appeal or review"

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"

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"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Conner, the House concurred in the Senate amendments to House Bill No. 119.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 119 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 119 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 1; not voting, 13.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson,

Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Savage, Schumaker, Shipoch, Smythe, Swayze, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Bluechel.

Not voting: Representatives Curtis, Hoggins, Julin, Kraabel, Kuehne, Maxie, Nelson, Pardini, Rabel, Randall, Smith, Sommers, Van Dyk.

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.

#### SENATE AMENDMENTS TO HOUSE BILL

April 4, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE JOINT MEMORIAL NO. 10 with the following amendments:

On page 1, line 22, before "persons" insert "elderly"

On page 1, line 22, strike "right" and insert "need"

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" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Adams, the House concurred in the Senate amendments to Engrossed House Joint Memorial No. 10.

#### FINAL PASSAGE OF HOUSE MEMORIAL AS AMENDED BY THE SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Joint Memorial No. 10 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 10 as amended by the Senate, and the memorial passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson,

Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Polk.

Not voting: Representatives Hoggins, Julin, Kraabel, Pardini, Rabel, Sommers.

House Joint Memorial No. 10 as amended by the Senate, having received the constitutional majority, was declared passed.

#### 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 after "fault:" strike everything before the period on line 19 and 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; Representatives Beck and Perry.

#### MOTION

Mr. Beck moved that the House adopt the report of the Free Conference Committee on Engrossed Senate Bill No. 2278.

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

The motion by Mr. Beck was carried.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2278 as amended by the Free Conference Committee.



## ROLL CALL

The Clerk 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 House by the following vote: Yeas, 67; nays, 27; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, O'Brien, Paris, Parker, Perry, Randall, Savage, Shipoch, Smith, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Blair, Bluechel, Curtis, Eikenberry, Flanagan, Freeman, Gilleland, Hansey, Hayner, Hendricks, Julin, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Newhouse, North F., North L., Pardini, Patterson, Polk, Pullen, Schumaker, Wilson.

Not voting: Representatives Hoggins, Rabel, Smythe, Sommers.

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.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1111, by Representatives Valle, Kilbury, Maxie and Kraabel:

AN ACT Relating to meat, fish and poultry; and adding new sections to chapter 69.04 RCW.

To Committee on Agriculture.

HOUSE BILL NO. 1112, by Representative Parker:

AN ACT Relating to emergency medical care and health services.

To Committee on Social and Health Services.

HOUSE BILL NO. 1113, by Representatives Kraabel and Charnley:

AN ACT Relating to air pollution; adding new sections to chapter 7C.94 RCW; prescribing penalties; and declaring an emergency.

To Committee on Ecology.

HOUSE JOINT RESOLUTION NO. 41, by Representatives Brown, Charette, North (Lois) and Moon:

Amending the Constitution to permit a bill to take effect ninety days after the Governor's signature.

To Committee on Constitution and Elections.

ENGROSSED 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.

To Committee on Ecology.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2186, by Committee on Social and Health Services (Originally sponsored 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.

To Committee on Social and Health Services.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2247, by Committee on Ways and Means (Originally sponsored 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 82.04.230, 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; 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.

To Committee on Ways and Means - Revenue.

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.

To Committee on Local Government.

ENGROSSED SENATE BILL NO. 2289, by Senators Durkan, Bailey and Newschwander:

AN ACT Relating to negotiations of school districts with their certificated personnel; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.72 RCW.

To Committee on Education.

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.

To Committee on Judiciary.

ENGROSSED 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.

To Committee on Transportation and Utilities.

ENGROSSED SENATE BILL NO. 2598, by Senator Mardesich:

AN ACT Relating to lands; adding new sections to chapter 79 RCW; and making an appropriation.

To Committee on Natural Resources.

ENGROSSED SENATE BILL NO. 2697, by Senators Washington and Gardner (by Lieutenant Governor request):

AN ACT Relating to certain appointed public officials; 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.

To Committee on Constitution and Elections.

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.

To Committee on Natural Resources.

ENGROSSED 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.

To Committee on Ecology.

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.

To Committee on Natural Resources.

MOTION

Mr. Thompson moved that the bills and resolutions printed on today's introduction sheet be considered first reading under the fourth order of business and be referred to the committees so designated.

The motion was carried.

REPORTS OF STANDING COMMITTEES

April 5, 1973

HOUSE BILL NO. 393, Prime Sponsor: Representative Bagnariol, providing for a corporation to sue or be sued in its corporate name, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 3 after "folio," strike the balance of the line and insert "((\*\*\*\*\* :20))"

Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Leckenby, Luders, Pardini, Parker, Van Dyk.

April 5, 1973

HOUSE BILL NO. 546, Prime Sponsor: Representative Bagnariol, changing laws of motor vehicle assigned risk insurance, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Blair, Chatalas, Leckenby, Luders, Pardini, Van Dyk.

April 5, 1973

HOUSE BILL NO. 811, Prime Sponsor: Representative King, implementing certain contractual rights of employees of school districts and members of the teachers' retirement system, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. 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 are each amended to read as follows:

Any member whose public school service is interrupted by active service to the United States as a member of its military, naval or air service, or to the state of Washington, as a member of the legislature, may upon becoming reemployed in the public schools, receive credit for such service upon presenting satisfactory proof, and contributing to the annuity fund, either in a lump sum or installments, such amounts as shall be determined by the board of trustees: PROVIDED, That no such military service credit in excess of five years shall be established or reestablished after July 1, 1961, unless the service was actually rendered during time of war: PROVIDED FURTHER, That a member of the retirement system who is a member of the state legislature (may request that retirement) or a state official eligible for the combined pension and annuity provided by RCW 41.32.497, or section 3 of this 1973 amendatory act, as now or hereafter amended shall have deductions ((be)) taken from his salary ((as a legislator)) in the amount of seven and one-half percent of compensation and that service credit shall be established with the retirement system while such deductions are reported to the retirement system, unless he has by reason of his employment become a contributing member of another public retirement system in the state of Washington: AND PROVIDED FURTHER, That a member of the retirement system who had previous service as ((a member of the state legislature)) an elected or appointed official, for which he did not contribute to the retirement system, may receive credit for such legislative service unless he has received credit for that service in another state retirement system, upon making contributions in such amounts as shall be determined by the board of trustees.

Sec. 2. 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 person who became a member ((who)) on or before the effective date of this 1973 amendatory act and who qualifies for a retirement allowance ((which is effective on or after July 1, 1970)) shall, at time of retirement, make an irrevocable election to receive either the retirement allowance by section 3 of this 1973 amendatory act or to receive a retirement allowance pursuant to this section consisting of: (1) An annuity which shall be the actuarial equivalent of his accumulated contributions at

his age of retirement, (2) A basic service pension of one hundred dollars per annum, and (3) 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)) beneficiary now receiving benefits or who receives benefits in the future, except those beneficiaries receiving reduced benefits pursuant to RCW 41.32.520(1), options 2 and 3 provided in RCW 41.32.530, or options 2 or 3 of section 3 of this 1973 amendatory act, shall receive a pension of less than five 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: PROVIDED FURTHER, That notwithstanding the provisions of subsections (1) through (3) of this section, the retirement allowance payable for service where a member was elected or appointed to the office of state senator, state representative or superintendent of public instruction shall be equal to three percent of the average earnable compensation of his two highest consecutive years of service, whether or not elected or appointed service, for each year of such elected or appointed service. However, the initial retirement allowance of a member retiring only under the provisions of this proviso shall not exceed the average final compensation upon which the retirement allowance is based. In addition, the member shall be allowed to have the pension provided by this proviso adjusted and paid pursuant to the options provided in RCW 41.32.530, as now or hereafter amended.

NEW SECTION. Sec. 3. There is added to chapter 41.32 RCW a new section to read as follows:

Any person who becomes a member subsequent to the effective date of this 1973 amendatory act or who has made the election, provided by RCW 41.32.497, to receive the benefit provided by this section, shall receive a retirement allowance consisting of:

(1) An annuity which shall be the actuarial equivalent of his additional contributions on full salary as provided by chapter 274, Laws of 1955 and his lump sum payment in excess of the required contribution rate made at date of retirement, pursuant to RCW 41.32.350, if any; and

(2) A combined pension and annuity service retirement allowance which shall be equal to two percent 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, to a maximum of sixty percent of such average earnable compensation: PROVIDED, That any member may irrevocably elect, at time of retirement, to withdraw all or a part of his accumulated contributions and to receive, in lieu of the full retirement allowance provided by this subsection, a reduction in the standard two percent allowance, of the actuarially determined amount of monthly annuity which would have been purchased by said contributions: PROVIDED FURTHER, That no member may withdraw an amount of accumulated contributions which would lower his retirement allowance below the minimum allowance

provided by RCW 41.32.497 as now or hereafter amended: AND PROVIDED FURTHER, That said reduced amount may be reduced even further pursuant to the options provided in subsection (4) below;

(3) Notwithstanding the provisions of subsection (2) of this section, the retirement allowance payable for service where a member was elected or appointed to the office of state senator, state representative or state superintendent of public instruction shall be equal to three percent of the average earnable compensation of his two highest consecutive years of service, whether or not elected or appointed service, for each year of such elected or appointed service. Any member covered by this subsection who upon retirement has served ten or more years shall receive a retirement allowance of at least one thousand two hundred dollars per annum; such member who has served fifteen or more years shall receive a retirement allowance of at least one thousand eight hundred dollars per annum; and such member who has served twenty or more years shall receive a retirement allowance of at least two thousand four hundred dollars per annum. However, the initial retirement allowance of a member retiring only under the provisions of this subsection shall not exceed the average final compensation upon which the retirement allowance is based. The minimum benefits provided in this subsection shall apply to all retired members or to the surviving spouse of deceased members who were elected to the office of state senator or state representative. Accumulated contributions for elected or appointed service may only be withdrawn if the member elects to waive the pension provided by this subsection. In addition, the member shall be allowed to have the pension provided by this subsection adjusted and paid pursuant to the options provided in subsection (4) below.

(4) Upon an application for retirement approved by the board of trustees every member shall receive the maximum retirement allowance available to him throughout life unless prior to the time the first installment thereof becomes due he has elected to receive the reduced amount provided in subsection (2) and/or has elected by executing the proper application therefor, to receive the actuarial equivalent of his retirement allowance in reduced payments throughout his life, with the options listed below:

Option 1. If he dies before he has received the present value of his accumulated contributions at the time of his retirement by virtue of the annuity portion of his retirement allowance, the unpaid balance shall be paid to his estate or to such person as he shall have nominated by written designation executed and filed with the board of trustees.

Option 2. Upon his death his adjusted retirement allowance shall be continued throughout the life of and paid to such person as he shall have nominated by written designation duly executed and filed with the board of trustees at the time of his retirement.

Option 3. Upon his death one-half of his adjusted retirement allowance shall be continued throughout the life of and paid to such person as he shall have nominated by written designation executed and filed with the board of trustees at the time of his retirement.



NEW SECTION. Sec 4. There is added to chapter 41.32 RCW a new section to read as follows:

Subsection (3) of section 3 of this 1973 amendatory act and the equivalent language contained in the last proviso in section 1 of this 1973 amendatory act, relating to elected and appointed officials, shall be retroactive to January 1, 1973.

NEW SECTION. Sec. 5. There is added to chapter 41.32 RCW a new section to read as follows:

The board of trustees shall determine the amount of employer contribution rate necessary to properly fund the increased benefits granted elected and appointed officials by sections 2 and 3 of this 1973 amendatory act. Upon determining the amount of employer contribution necessary, the board shall inform, bill and collect from the employer of those elected or appointed officials the amount so determined in the same manner and to the same extent as the public employees' retirement system pursuant to RCW 41.40.370.

Sec. 6. Section 35, chapter 80, Laws of 1947 as last amended by section 7, chapter 14, Laws of 1963 ex. sess. and RCW 41.32.350 are each amended to read as follows:

Each year during which he is employed each member shall contribute five percent of his earnable compensation. These contributions shall be placed in the annuity fund, the disability reserve fund and the death benefit fund. A member may make an additional lump sum payment at date of retirement, not to exceed his accumulated contributions, to purchase additional annuity: PROVIDED, That effective July 1, 1974, the amount of contribution required from each member by this section shall be increased to six percent of his earnable compensation.

Sec. 7. Section 19, chapter 80, Laws of 1947 as amended by section 5, chapter 274, Laws of 1955 and RCW 41.32.190 are each amended to read as follows:

From interest and other earnings on the moneys of the retirement system, and except as otherwise provided in sections 8 and 9 of this 1973 amendatory act, at the close of each fiscal year the board of trustees shall make such allowance of regular interest on the balance which was on hand at the beginning of the fiscal year in each of the funds as they may deem advisable; however, no interest shall be credited to the expense fund or the pension fund.

Sec. 8. Section 12, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.405 are each amended to read as follows:

An income fund is hereby created for the purpose of crediting regular interest and such other income as may be derived from the deposits and investments of the various funds of the teachers' retirement fund. All accumulated contributions in the account of a terminated member which remain unclaimed after the expiration of ten years from the date of termination shall thereafter be transferred to the income fund as provided in RCW 41.32.510. Any moneys that may come into the possession of the retirement system in the form of gifts or bequests which are not allocated to a specific fund, or any other moneys the disposition of which is not otherwise provided herein, shall be credited to the income fund. The moneys accumulated in the income fund

shall be available for transfer, upon board authorization, to the expense fund toward payment of the members' share of the operating costs of the system as provided in RCW 41.32.410, and for regular interest allowance to the various funds of the teachers' retirement fund as provided in RCW 41.32.190 and 41.32.460: PROVIDED, That from such accumulated moneys the board shall have sole discretion to determine an amount thereof to be credited to the annuity fund which will thereupon be credited as regular interest to the individual members' accounts: PROVIDED FURTHER, That from interest and other earnings on the moneys in the annuity fund the board may specifically allocate up to one percent per annum of such interest and other earnings for the purpose of making sufficient funds available to facilitate the adjustment in the retirement allowance provided in section 9 of this 1973 amendatory act.

NEW SECTION. Sec. 9. There is added to chapter 41.32 RCW a new section to read as follows:

(1) 'Index' for the purposes of this section shall mean, for any calendar year, that year's annual average consumer price index for urban wage earners and clerical workers, all items (1957-1959 equal one hundred)--compiled by the Bureau of Labor Statistics, United States Department of Labor;

(2) 'Cost-of-living factor' for the purposes of this section for any year shall mean the ratio of the index for the previous year to the index for the year preceding the initial date of payment of the retirement allowance, except that, in no event, shall the cost-of-living factor, for any year subsequent to 1971, be

(a) less than 1.00;

(b) more than one hundred three percent or less than ninety-seven percent of the previous year's cost-of-living factor; or

(c) such as to yield a retirement allowance, for any individual, less than that which was in effect July 1, 1972;

(3) The 'initial date of payment' for the purposes of adjusting the annuity portion of a retirement allowance for the purposes of this section shall mean the date of retirement of a member.

(4) The 'initial date of payment' for the purposes of adjusting the pension portion of a retirement allowance for the purposes of this section shall mean the date of retirement of a member or June 30, 1970, whichever is later.

(5) Each service retirement allowance payable from July 1, 1973 until any subsequent adjustment pursuant to subsection (6) of this section shall be adjusted so as to equal the product of the cost-of-living factor for 1973 and the amount of said retirement allowance on the initial date of payment.

(6) Each service retirement allowance payable from July 1st of any year after 1973 until any subsequent adjustment pursuant to this subsection shall be adjusted so as to equal the product of the cost-of-living factor for such year and the amount of said retirement allowance on the initial date of payment: PROVIDED, That the board finds, at its sole discretion, that the cost of such adjustments shall have been met by the excess of the growth

in the assets of the system over that required for meeting the actuarial liabilities of the system at that time.

NEW SECTION. Sec. 10. This 1973 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of state government and its existing public institutions and shall take effect immediately.

NEW SECTION. Sec. 11. 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."

Strike all of the title and insert the following:

"AN ACT Relating to the Washington state teachers' retirement system; 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 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 35, chapter 80, Laws of 1947 as last amended by section 7, chapter 14, Laws of 1963 ex. sess. and RCW 41.32.350; amending section 19, chapter 80, Laws of 1947 as amended by section 5, chapter 274, Laws of 1955 and RCW 41.32.190; amending section 12, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.405; adding new sections to chapter 41.32 RCW; and declaring an emergency."

Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hendricks, Hoggins, Johnson, Lysen, Pullen, Warnke.

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

March 31, 1973

HOUSE BILL NO. 1053, Prime Sponsor: Representative Perry, implementing laws related to a Neighbors in Need, Washington program, reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Curtis, Ehlers, Hendricks, Kopet, Moon, Perry, Thompson.

March 31, 1973

HOUSE BILL NO. 1074, Prime Sponsor: Representative Beck, providing travel expense reimbursement for legislative members of the American revolution bicentennial commission, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Gaines, Hendricks, Lysen, Moon, Perry, Thompson.

April 5, 1973

HOUSE BILL NO. 1084, Prime Sponsor: Representative Moon, setting the maximum rate of interest permitted on time deposits of public funds, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Chatalas, Eikenberry, Luders, Moon, Parker, Van Dyk.

March 31, 1973

HOUSE BILL NO. 1101, Prime Sponsor: Representative Charnley, permitting the state museum at the University of Washington to acquire and dispose of certain items, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Cunningham, Ehlers, Gaines, Hendricks, Kopet, Perry, Thompson.

April 5, 1973

HOUSE BILL NO. 1108, Prime Sponsor: Representative Martinis, enhancing the propagation of wildlife, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Anderson, Clemente, Conner, Hansen, Haussler, Kalich, Kilbury, Schumaker.

April 6, 1973

ENGROSSED SENATE BILL NO. 2045, Prime Sponsor: Senator Scott, providing for the determination of comparative negligence, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Maxie, Shinpoch, Smith, Sommers.

April 4, 1973

ENGROSSED SENATE BILL NO. 2146, Prime Sponsor: Senator Gardner, permitting the chief of the Washington state patrol to employ special deputies, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bluechel, Ehlers, Gaines, Hendricks, Kopet, Perry, Thompson.

April 4, 1973

ENGROSSED SENATE BILL NO. 2294, Prime Sponsor: Senator Whetzel, implementing laws relating to the secretary of state, reported by Committee on State Government.

MAJORITY recommendation: Do pass 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 23 RCW;
- (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."

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Ehlers, Gaines, Hendricks, Hurley, Kopet, Lysen, Moon, Thompson.

April 6, 1973

ENGROSSED SENATE BILL NO. 2319, Prime Sponsor: Senator Francis, providing for the care and treatment of the criminally insane, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Maxie, Newhouse, Smith, Sommers, Swayze.

April 5, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2346, Prime sponsor of original bill: Senator Durkan, limiting property tax levies, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 6 strike everything after the enacting clause and insert the following:

"Section 1. Section 12, chapter 93, Laws of 1939 and RCW 2.50.120 are each amended to read as follows:

The county board in its discretion shall allocate funds for the purposes of the bureau from county funds available for public assistance and relief received from the levy of ~~((three mills))~~ seventy-five cents per thousand dollars of assessed value as provided in section 17, chapter 180, Laws of 1937.

Sec. 2. Section 2, chapter 2, Laws of 1895 and RCW 8.08.110 are each amended to read as follows:

The board of county commissioners is hereby authorized and empowered in aid of the powers granted or prescribed in RCW 8.08.090 to levy, annually, a tax as large as may be necessary, but not exceeding the rate of ~~((one mill on the dollar))~~ twenty-five cents per thousand dollars of assessed value, upon all the taxable property in the county, such tax to be assessed, levied and collected at the same time and in the same manner as taxes for general county purposes, but the proceeds of said taxes, when collected, shall constitute and be a special fund, applicable solely to the cost of such condemnation, appropriation or disposition, as is mentioned in RCW 8.08.090, and the expenses incident thereto.

Sec. 3. Section 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. 4. Section 7, chapter 152, Laws of 1919 and RCW 17.12.070 are each amended to read as follows:

For the purposes herein specified the board of county commissioners shall annually levy on all the taxable property within any district a tax for such district not to exceed (five mills on the dollar) one dollar and twenty-five cents per thousand dollars of assessed value to be levied and collected as in this chapter prescribed.

If, however, they shall deem that the prevention, destruction or extermination of any such animals, or other pests shall be of special benefit to the lands within any such district they may in lieu of a tax, levy an assessment against the lands therein at not to exceed ten cents per acre. For this purpose they may classify the lands into tillable, grazing, and waste lands and fix the assessment for each class in such amount as shall seem just, but which shall be uniform per acre in its respective class. The finding by the board of such special benefits, when so declared by resolution and spread upon the minutes of the board shall be conclusive that the same is of special benefit to the lands within the district.

Sec. 5. Section 6, chapter 140, Laws of 1921 and RCW 17.16.120 are each amended to read as follows:

The board of county commissioners of any county in the state desiring to cooperate with (the state college of) Washington State University in the extermination of rodents is hereby authorized to purchase poisons, grain and other supplies, or to prepare poisoned grain or other baits, and to furnish the same at cost to owners, occupants, agents in charge, or lessees of land infested with rodents, and for that purpose shall levy a tax of not to exceed (one-half of one mill on) twelve and one-half cents per thousand dollars of assessed value against all the taxable property within the county. The proceeds from the collection of such taxes shall be placed in a special rotating fund, which fund is hereby created. The purchases of all poisons, grain and other supplies shall be made from said rotating fund and the proceeds of the sale of such poisons, grain and supplies shall be placed therein. The balance in such fund on December 31st of each year shall be transferred to the county current expense fund.

Sec. 6. 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)) one percent tax limit 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. 7. 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)) one percent limitation 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. 8. 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~~)) one percent tax limitation 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. 9. 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. 10. 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. 11. 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. 12. 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. 13. 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 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 state 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 student enrolled, based upon one full school year of one hundred eighty days:

(1) Eighty-five percent of the amount of revenues which would be produced by a levy of (~~fourteen mills~~) four dollars per thousand dollars on the assessed valuation of taxable property within the school district adjusted to (~~twenty-five~~) one hundred percent of true and fair value thereof as determined by the state department of revenue's indicated county ratio: PROVIDED, That in each of the calendar years 1968 and 1969 the funds otherwise distributable under this section to any school district which is collecting property taxes based upon a levy of less than five-sixths of the maximum levy permissible for the district for such year under RCW 84.52.050 shall be reduced by an amount equal to the difference between the proceeds of the actual school district tax levy in the district and the proceeds which five-sixths of such maximum permissible levy for the district would produce irrespective of any delinquencies: PROVIDED, FURTHER, That the funds otherwise distributable under this section to any school district for any year other than the calendar years 1968 and 1969 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 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 percent of the maximum receipts collectible from the high school district fund pursuant to chapter 28A.44 RCW; and

(4) Eighty-five percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(5) Eighty-five percent of the receipts from federal forest revenues distributed to school districts pursuant to RCW 36.33.110; and

(6) 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~~) dollar rate for the regular property tax levy for such school district pursuant to RCW 84.52.050 bears to the aggregate (~~millage~~) dollar rates for all property tax levies for such school district, both regular and excess; and

(7) Eight-five percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

Sec. 14. 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~~) four dollars per thousand dollars on the assessed valuation of taxable property within the school district adjusted to (~~twenty-five~~) one hundred 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) Eighty-five percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(4) Eighty-five 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~~) dollar 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~~) dollar rates for all property tax levies for such school district, both regular and excess; and

(6) Eighty-five percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

Sec. 15. 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)) four dollars per thousand dollars on the assessed valuation of taxable property within the school district adjusted to ((twenty-five)) one hundred 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) Eighty-five percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(4) Eighty-five 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)) dollar 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)) dollar rate for all property tax levies for such school district, both regular and excess; and

(6) Eighty-five percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

Sec. 16. 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 percent of the amount of revenues which would be produced by a levy of ((fourteen mills)) four dollars per thousand dollars on the assessed valuation of taxable property within the school district adjusted to ((twenty-five)) one hundred 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) (~~Eighty-five~~) Ninety percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(4) (~~Eighty-five~~) Ninety percent of the receipts from federal forest revenues distributed to school districts pursuant to RCW 36.33.110; and

(5) (~~Eighty-five~~) Ninety 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~~) Ninety percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

Sec. 17. 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 mills~~) four dollars per thousand dollars on the assessed valuation of taxable property within the school district adjusted to (~~twenty-five~~) one hundred 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) ((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)) dollar 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)) dollar 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. 18. 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 mills)) four dollars per thousand dollars on the assessed valuation of taxable property within the school district adjusted to ((twenty-five)) one hundred 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) (~~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~~) dollar 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~~) dollar 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.

Sec. 19. Section 28A.47.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.070 are each amended to read as follows:

The amount of state assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The board of directors of the district shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architect's fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the state board of education.

(2) The superintendent of public instruction shall (a) ascertain the assessed valuation of the district adjusted to (~~fifty~~) one hundred percent of the true and fair value in money of the taxable property in the district in accordance with the ratio of assessed valuation to actual valuation fixed by the state board of equalization and for the county to which the district belongs; and (b) compute the ratio of the aforesaid assessed valuation of the district to the number of educational units approved prior thereto by the state board of education for allotment to the district of funds receivable under the provisions of RCW 28A.47.050 through 28A.47.120: PROVIDED, That this number of units may be increased by the aforesaid officer for the use thereof specified in this chapter, upon the finding by said officer that completion of the proposed project will provide facilities for additional units and that such additional units will be needed to serve the school population of the district.

(3) The ratio of the assessed valuation of the district to the number of educational units thereof, computed in the manner hereinabove provided for, shall then



be used in determining the percentage of state assistance for the district in accordance with the following table:

Ratio of assessed valuation to number of educational units	Percentage of state assistance
\$(( 20,579)) <u>57,140</u> or less to 1.....	75.0%
(( 30,990)) <u>60,000</u> to 1.....	73.9
(( 35,990)) <u>70,000</u> to 1.....	70.2
(( 40,990)) <u>80,000</u> to 1.....	66.7
(( 45,990)) <u>90,000</u> to 1.....	63.3
(( 50,990)) <u>100,000</u> to 1.....	60.0
(( 55,990)) <u>110,000</u> to 1.....	56.9
(( 60,990)) <u>120,000</u> to 1.....	53.8
(( 65,990)) <u>130,000</u> to 1.....	50.9
(( 70,990)) <u>140,000</u> to 1.....	48.1
(( 75,990)) <u>150,000</u> to 1.....	45.5
(( 80,990)) <u>160,000</u> to 1.....	42.9
(( 85,990)) <u>170,000</u> to 1.....	40.4
(( 90,990)) <u>180,000</u> to 1.....	37.9
(( 95,990)) <u>190,000</u> to 1.....	35.6
((100,990)) <u>200,000</u> to 1.....	33.3
((105,990)) <u>210,000</u> to 1.....	31.1
((110,990)) <u>220,000</u> to 1.....	29.0
((115,990)) <u>230,000</u> to 1.....	27.0
((120,990)) <u>240,000</u> to 1.....	25.0
((130,990)) <u>260,000</u> to 1.....	21.2
((140,990)) <u>280,000</u> to 1.....	17.6
((150,990)) <u>300,000</u> to 1.....	14.3
((160,990)) <u>320,000</u> to 1.....	11.1
((170,990)) <u>340,000</u> to 1.....	8.1
((180,990)) <u>360,000</u> to 1.....	5.3
((190,990)) <u>380,000</u> to 1.....	2.6
((200,990)) <u>400,000</u> to 1.....	...

(4) The approved cost of the project determined in the manner herein prescribed times the percentage of state assistance derived as provided for herein shall be the amount of state assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the superintendent of public instruction: PROVIDED FURTHER, That additional state assistance may be allowed if it is found by the superintendent of public instruction that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden and excessive past or clearly foreseeable future increase in school population, and other conditions similarly emergent in nature; or (b) a special school housing burden imposed by virtue of the admission of nonresident students into parental schools or into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1955, and without benefit of the state assistance provided for in RCW 28A.47.050 to 28A.47.120, inclusive, the construction of a needed school building project or projects approved in conformity with the requirements of chapter 28A.47 RCW, after having first applied for and been denied state assistance because of the inadequacy of state

funds available for the purpose; or (d) conditions similar to those defined under (a), (b), and (c) hereinabove, creating a like emergency.

Sec. 20. Section 28A.47.530, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.530 are each amended to read as follows:

Allocations to school districts of state funds provided by RCW 28A.47.460 through 28A.47.560 shall be made by the state board of education and the amount of state assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The board of directors of the district shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architect's fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the state board of education.

(2) The state board of education shall compute the ratio of the assessed valuation of the district, adjusted in accordance with the ratio of assessed valuation to actual valuation fixed by the state board of equalization for the county to which the district belongs, to the number of educational units approved prior thereto by the state board of education for allotment to the district of funds receivable under the provisions of RCW 28A.47.460 through 28A.47.560: PROVIDED, That this number of units may be increased by the state board of education for the use thereof specified in RCW 28A.47.460 through 28A.47.560, upon the finding of said board that completion of the proposed project will provide facilities for additional units and that such additional units will be needed to serve the school population of the district.

(3) The ratio of the adjusted valuation of the district to the number of educational units thereof, computed in the manner hereinabove in this section provided for, shall then be used in determining the percentage of state assistance for the district in accordance with the following table:

	Ratio of adjusted valuation to number of educational units		Percentage of state assistance
\$(( 40,520))	<u>21,040</u>	or less to 1.....	90.0%
(( 45,000))	<u>30,000</u>	to 1.....	86.0
(( 20,000))	<u>40,000</u>	to 1.....	81.8
(( 25,000))	<u>50,000</u>	to 1.....	77.7
(( 20,570))	<u>57,140</u>	to 1.....	75.0
(( 30,000))	<u>60,000</u>	to 1.....	73.9
(( 35,000))	<u>70,000</u>	to 1.....	70.2
(( 40,000))	<u>80,000</u>	to 1.....	66.7
(( 45,000))	<u>90,000</u>	to 1.....	63.3
(( 50,000))	<u>100,000</u>	to 1.....	60.0
(( 55,000))	<u>110,000</u>	to 1.....	56.9
(( 60,000))	<u>120,000</u>	to 1.....	53.8
(( 65,000))	<u>130,000</u>	to 1.....	50.9
(( 70,000))	<u>140,000</u>	to 1.....	48.1

(( 75,000))	<u>150,000</u>	to 1.....	45.5
(( 80,000))	<u>160,000</u>	to 1.....	42.9
(( 85,000))	<u>170,000</u>	to 1.....	40.4
(( 90,000))	<u>180,000</u>	to 1.....	37.9
(( 95,000))	<u>190,000</u>	to 1.....	35.6
((100,000))	<u>200,000</u>	to 1.....	33.3
((105,000))	<u>210,000</u>	to 1.....	31.1
((110,000))	<u>220,000</u>	to 1.....	29.0
((115,000))	<u>230,000</u>	to 1.....	27.0
((120,000))	<u>240,000</u>	to 1.....	25.0
((125,000))	<u>260,000</u>	to 1.....	21.2
((130,000))	<u>280,000</u>	to 1.....	17.6
((135,000))	<u>300,000</u>	to 1.....	14.3
((140,000))	<u>320,000</u>	to 1.....	11.1
((145,000))	<u>340,000</u>	to 1.....	8.1
((150,000))	<u>360,000</u>	to 1.....	5.3
((155,000))	<u>380,000</u>	to 1.....	2.6
((160,000))	<u>400,000</u>	to 1.....	...

(4) The approved cost of the project determined in the manner herein prescribed times the percentage of state assistance derived as provided for herein shall be the amount of state assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the state board of education: PROVIDED, FURTHER, That additional state assistance may be allowed if it is found by the state board of education that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden and excessive past or clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1957, and without benefit of the state assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state assistance because of the inadequacy of state funds available for the purpose; or (d) conditions similar to those defined under (a), (b), and (c) hereinabove, creating a like emergency: PROVIDED, FURTHER, That, in the event that federal assistance in an amount in excess of six million dollars is made available to the state of Washington to be allocated to school districts by the state board of education for public school construction purposes during the 1957-59 biennium, the minimum percentage of state assistance to any district eligible under provisions of RCW 28A.47.460 through 28A.47.560 shall not be less than fifteen percent.

Sec. 21. Section 28A.47.640, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.640 are each amended to read as follows:

Allocations to school districts of state funds provided by RCW 28A.47.570 through 28A.47.710 shall be made by the state board of education and the amount of state

assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The board of directors of the district shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architect's fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the state board of education.

(2) The state board of education shall compute the ratio of the assessed valuation of the district, adjusted in accordance with the ratio of assessed valuation to actual valuation fixed by the state board of equalization for the county to which the district belongs, to the maximum number of educational units theretofore allowable to the district under state board of education regulations governing apportionment of funds receivable under the provisions of RCW 28A.47.570 through 28A.47.710: PROVIDED, That this number of units may be increased by the state board of education for the use thereof specified in RCW 28A.47.570 through 28A.47.710, upon the finding of said board that completion of the proposed project will provide facilities for additional units and that such additional units will be needed to serve the school population of the district.

(3) The ratio of the adjusted valuation of the district to the number of educational units thereof, computed in the manner hereinabove in this section provided for, shall then be used in determining the percentage of state assistance for the district in accordance with the following table:

	Ratio of adjusted valuation to number of educational units	Percentage of state assistance
\$ ( ( 49,520 ) )	<u>21,040</u> or less to 1.....	75.0%
(( 45,000 ))	<u>30,000</u> to 1.....	86.0
(( 20,000 ))	<u>40,000</u> to 1.....	81.8
(( 25,000 ))	<u>50,000</u> to 1.....	77.7
(( 20,570 ))	<u>57,140</u> to 1.....	75.0
(( 30,000 ))	<u>60,000</u> to 1.....	73.9
(( 35,000 ))	<u>70,000</u> to 1.....	70.2
(( 45,000 ))	<u>80,000</u> to 1.....	66.7
(( 45,000 ))	<u>90,000</u> to 1.....	63.3
(( 50,000 ))	<u>100,000</u> to 1.....	60.0
(( 55,000 ))	<u>110,000</u> to 1.....	56.9
(( 60,000 ))	<u>120,000</u> to 1.....	53.8
(( 65,000 ))	<u>130,000</u> to 1.....	50.9
(( 70,000 ))	<u>140,000</u> to 1.....	48.1
(( 75,000 ))	<u>150,000</u> to 1.....	45.5
(( 80,000 ))	<u>160,000</u> to 1.....	42.9
(( 85,000 ))	<u>170,000</u> to 1.....	40.4
(( 90,000 ))	<u>180,000</u> to 1.....	37.9
(( 95,000 ))	<u>190,000</u> to 1.....	35.6
(( 100,000 ))	<u>200,000</u> to 1.....	33.3
(( 105,000 ))	<u>210,000</u> to 1.....	31.1
(( 110,000 ))	<u>220,000</u> to 1.....	29.0

((115,000))	<u>230,000</u>	to 1.....	27.0
((120,000))	<u>240,000</u>	to 1.....	25.0
((130,000))	<u>260,000</u>	to 1.....	21.2
((140,000))	<u>280,000</u>	to 1.....	17.6
((150,000))	<u>300,000</u>	to 1.....	14.3
((160,000))	<u>320,000</u>	to 1.....	11.1
((170,000))	<u>340,000</u>	to 1.....	8.1
((180,000))	<u>360,000</u>	to 1.....	5.3
((190,000))	<u>380,000</u>	to 1.....	2.6
((200,000))	<u>400,000</u>	to 1.....	...

: PROVIDED, That in the event the percentage of state assistance to any school district based on the above table is less than twenty percent and such school district is otherwise eligible for state assistance under RCW 28A.47.570 through 28A.47.710, the state board of education may establish for such district a percentage of state assistance not in excess of twenty percent of the approved cost of the project, if the state board finds that such additional assistance is necessary to provide minimum facilities for housing the pupils of the district.

(4) The approved cost of the project determined in the manner herein prescribed times the percentage of state assistance derived as provided for herein shall be the amount of state assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the state board of education: PROVIDED, FURTHER, That additional state assistance may be allowed if it is found by the state board of education that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden and excessive past or clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1959, and without benefit of the state assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state assistance because of the inadequacy of state funds available for the purpose; or (d) conditions similar to those defined under (a), (b), and (c) hereinabove, creating a like emergency. Sec. 22. Section 28A.47.734, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.734 are each amended to read as follows:

Allocations to school districts of state funds provided by RCW 28A.47.720 through 28A.47.750 shall be made by the state board of education and the amount of state assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The board of directors of the district shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring

a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architect's fees, and a reasonable amount for contingencies and for other necessary incidental expenses:

PROVIDED, That the total cost of the project shall be subject to review and approval by the state board of education.

(2) The state board of education shall compute the ratio of the assessed valuation of the district, adjusted in accordance with the ratio of assessed valuation to actual valuation fixed by the state board of equalization for the county to which the district belongs, to the maximum number of educational units theretofore allowable to the district under state board of education regulations governing apportionment of funds receivable under the provisions of RCW 28A.47.720 through 28A.47.750: PROVIDED, That this number of units may be increased by the state board of education for the use thereof specified in RCW 28A.47.720 through 28A.47.750, upon the finding of said board that completion of the proposed project will provide facilities for additional units and that such additional units will be needed to serve the school population of the district.

(3) The ratio of the adjusted valuation of the district to the number of educational units thereof, computed in the manner hereinabove in this section provided for, shall then be used in determining the percentage of state assistance for the district in accordance with the following table:

Ratio of adjusted valuation to number of educational units	Percentage of state assistance
\$(( 40,520) <u>21,040</u> or less to 1.....	90.0%
(( 45,000) <u>30,000</u> to 1.....	86.0
(( 20,000) <u>40,000</u> to 1.....	81.8
(( 25,000) <u>50,000</u> to 1.....	77.7
(( 20,570) <u>57,140</u> to 1.....	75.0
(( 30,000) <u>60,000</u> to 1.....	73.9
(( 35,000) <u>70,000</u> to 1.....	70.2
(( 40,000) <u>80,000</u> to 1.....	66.7
(( 45,000) <u>90,000</u> to 1.....	63.3
(( 50,000) <u>100,000</u> to 1.....	60.0
(( 55,000) <u>110,000</u> to 1.....	56.9
(( 60,000) <u>120,000</u> to 1.....	53.8
(( 65,000) <u>130,000</u> to 1.....	50.9
(( 70,000) <u>140,000</u> to 1.....	48.1
(( 75,000) <u>150,000</u> to 1.....	45.5
(( 80,000) <u>160,000</u> to 1.....	42.9
(( 85,000) <u>170,000</u> to 1.....	40.4
(( 90,000) <u>180,000</u> to 1.....	37.9
(( 95,000) <u>190,000</u> to 1.....	35.6
((100,000) <u>200,000</u> to 1.....	33.3
((105,000) <u>210,000</u> to 1.....	31.1
((110,000) <u>220,000</u> to 1.....	29.0
((115,000) <u>230,000</u> to 1.....	27.0
((120,000) <u>240,000</u> to 1.....	25.0
((125,000) <u>250,000</u> to 1.....	21.2
((130,000) <u>260,000</u> to 1.....	17.6
((135,000) <u>270,000</u> to 1.....	14.3
((140,000) <u>280,000</u> to 1.....	11.1

((470,000))	<u>340,000</u>	to 1.....	8.1
((480,000))	<u>360,000</u>	to 1.....	5.3
((490,000))	<u>380,000</u>	to 1.....	2.6
((200,000))	<u>400,000</u>	to 1.....	...

: PROVIDED, That in the event the percentage of state assistance to any school district based on the above table is less than twenty percent and such school district is otherwise eligible for state assistance under RCW 28A.47.720 through 28A.47.750, the state board of education may establish for such district a percentage of state assistance not in excess of twenty percent of the approved cost of the project, if the state board finds that such additional assistance is necessary to provide minimum facilities for housing the pupils of the district.

(4) The approved cost of the project determined in the manner herein prescribed times the percentage of state assistance derived as provided for herein shall be the amount of state assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the state board of education: PROVIDED, FURTHER, That additional state assistance may be allowed if it is found by the state board of education that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden and excessive past or clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1961, and without benefit of the state assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state assistance because of the inadequacy of state funds available for the purpose; or (d) conditions similar to those defined under (a), (b), and (c) hereinabove, creating a like emergency.

Sec. 23. Section 28A.48.110, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 100, Laws of 1971 ex. sess. and RCW 28A.48.110 are each amended to read as follows:

In each calendar year in which the state shall collect a property tax for the support of common schools, the superintendent of public instruction shall distribute the proceeds of such tax to each school district of the state operating a program approved by the state board of education, in the manner provided in this section.

Except as hereinafter provided, the amount to be distributed to each school district in each year shall be a fraction of the total amount available for distribution, the numerator of which fraction shall be the assessed valuation of all taxable property in such school district adjusted to ((fifty)) one hundred percent of true and fair value thereof in accordance with the ratio of assessed valuation to actual valuation fixed by the state department

of revenue, and the denominator of which fraction shall be the aggregate valuation of taxable property in all school districts entitled to a distribution under this section adjusted as to the property in each such district to ~~((fifty))~~ one hundred percent of true and fair value thereof in accordance with the ratio of assessed valuation to actual valuation fixed by the state department of revenue: PROVIDED, That each nonhigh school district shall receive only three-fifths of the amount otherwise distributable to a school district as provided above and the remaining two-fifths of such amount shall be distributed to the high school district fund of the county in which the nonhigh school district is located.

The superintendent of public instruction shall make the distribution of funds authorized in this section on or before the tenth day of each month by prorating the funds available on such distribution dates to the school districts entitled thereto: PROVIDED, That funds otherwise distributed in the month of June of each odd-numbered year beginning with the month of June 1973 shall not be distributed until the tenth day of July of such year and shall be accounted for by the state as expenditures for the ensuing fiscal biennium.

Sec. 24. Section 28A.48.110, chapter 223, Laws of 1959 ex. sess. as last amended by section 10, chapter 124, Laws of 1972 ex. sess. and RCW 28A.48.110 are each amended to read as follows:

In each calendar year in which the state shall collect a property tax for the support of common schools, the superintendent of public instruction shall distribute the proceeds of such tax to each school district of the state operating a program approved by the state board of education, in the manner provided in this section.

Except as hereinafter provided, the amount to be distributed to each school district in each year shall be a fraction of the total amount available for distribution, the numerator of which fraction shall be the assessed valuation of all taxable property in such school district adjusted to ~~((fifty))~~ one hundred percent of true and fair value thereof in accordance with the ratio of assessed valuation to actual valuation fixed by the state department of revenue, and the denominator of which fraction shall be the aggregate valuation of taxable property in all school districts entitled to a distribution under this section adjusted as to the property in each such district to ~~((fifty))~~ one hundred percent of true and fair value thereof in accordance with the ratio of assessed valuation to actual valuation fixed by the state department of revenue.

The superintendent of public instruction shall make the distribution of funds authorized in this section on or before the tenth day of each month by prorating the funds available on such distribution dates to the school districts entitled thereto: PROVIDED, That funds otherwise distributed in the month of June of each odd-numbered year beginning with the month of June 1973 shall not be distributed until the tenth day of July of such year and shall be accounted for by the state as expenditures for the ensuing fiscal biennium.

Sec. 25. Section 28B.60.110, chapter 223, Laws of



1969 ex. sess. and RCW 28B.60.110 are each amended to read as follows:

The directors of the development district shall be empowered to specially assess land located in the district for the benefits thereto, taking as a base the last equalized assessment for county purposes: PROVIDED, That such assessment shall not exceed ((one mill upon said) twenty-five cents per thousand dollars of assessed valuation without securing authorization by vote of the electors of the district in an election held for that purpose. The directors shall give notice of such an election, for the time and in the manner and form provided, for development district elections. The manner of conducting the voting at such an election, opening and closing the polls, canvassing the votes, certifying the returns, and declaring the results, shall be the same as the elections for the board of county commissioners, except as specifically modified by law.

The special assessment provided for herein shall be due and payable at such time 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.

Sec. 26. 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. 27. 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)) one percent limit 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. 28. 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. 29. 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. 30. 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~~)) one percent tax law, imposed on such properties in the last tax year in which said properties were in private ownership.

Sec. 31. 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 therefor an annual special tax 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. 32. 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. 33. 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. 34. 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 assess 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. 35. 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. 36. 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. 37. Section 35.43.130, chapter 7, Laws of 1965 as amended by section 6, chapter 52, laws of 1967 and RCW 35.43.130 are each amended to read as follows:

Upon the filing of a petition or upon the adoption of a resolution, as the case may be, initiating a proceeding for the formation of a local improvement district or utility local improvement district, the proper board, officer, or authority designated by charter or ordinance to make the preliminary estimates and assessment roll shall cause an estimate to be made of the cost and expense of the proposed improvement and certify it to the legislative authority of the city or town together with all papers and information in its possession touching the proposed improvement, a description of the boundaries of the district, a statement of what portion of the cost and expense of the improvement should be borne by the property within the proposed district, a statement in detail of the local improvement assessments outstanding and unpaid against the property in the proposed district, and a statement of the aggregate actual valuation of the real estate including ((twenty-five)) ~~one hundred~~ percent of the actual valuation of the improvements in the proposed

district according to the valuation last placed upon it for the purposes of general taxation.

If the proceedings were initiated by petition the designated board, officer or authority shall also determine the sufficiency of the petition and whether the facts set forth therein are true. If the petition is found to be sufficient and in all proceedings initiated by resolution of the legislative authority of the city or town, the estimates must be accompanied by a diagram showing thereon the lots, tracts, and parcels of land and other property which will be specially benefited by the proposed improvement and the estimated amount of the cost and expense thereof to be borne by each lot, tract, or parcel of land or other property: PROVIDED, That no such diagram shall be required where such estimates are on file in the office of the city engineer, or other designated city office, together with a detailed copy of the preliminary assessment roll and the plans and assessment maps of the proposed improvement.

For the purpose of estimating and levying local improvement assessments, the value of property of the United States, of the state, or of any county, city, town, school district, or other public corporation whose property is not assessed for general taxes shall be computed according to the standards afforded by similarly situated property which is assessed for general taxes.

Sec. 38. 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. 39. 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:

'FORMATION OF METROPOLITAN MUNICIPAL CORPORATION

((^)) 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)) one percent tax limit 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. 40. 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 percent of the total number of votes cast within the area of said metropolitan municipal corporation at the last preceding state general election. Such general obligation bonds may be authorized in any total amount in one or more propositions and the amount of such authorization may exceed the amount of bonds which could then lawfully be issued. Such bonds may be issued in one or more series from time to time out of such authorization but at no time shall the total general indebtedness of the metropolitan municipal corporation exceed five percent of the value of the taxable property therein, as the term 'value of the taxable property' is defined in RCW 39.36.015. Both principal of and interest on such general obligation bonds may be made payable from annual tax levies to be made upon all the taxable property within the metropolitan municipal corporation in excess of the ((forty mill)) one percent 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. 41. 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, 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~~) one percent 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 (~~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. 42. 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 (~~489; Laws of 1967 [chapter 36-93 RCW]~~) 36.93 RCW all annexations shall be subject to review except as provided for in (~~section 44 of chapter 489; Laws of 1967 [RCW 36-93-440]~~) 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 ((1989, Laws of 1967 [chapter 36-93 RCW])) 36.93 RCW in those counties with a review board established pursuant to chapter ((1989, 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 ((1989, Laws of 1967 [chapter 36-93 RCW])) 36.93 RCW in those counties with a boundary review board established pursuant to chapter ((1989, Laws of 1967 [chapter 36-93 RCW])) 36.93 RCW.

Sec. 43. 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. 44. 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. 45. 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 limitations provided in RCW 84.52.050 relating to levy of taxes within the ~~((forty mill))~~ one percent limit. The term 'value of the taxable property' shall have the meaning set forth in RCW 39.36.015.

Sec. 46. 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. 47. 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. 48. 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))~~ dollar rate 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.

Sec. 49. 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. 50. 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 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. 51. 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 fourth-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. 52. 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. 53. 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. 54. 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)) one percent tax limit 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)) one percent tax limit?

Yes..... No.....

Sec. 55. 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 out-standing 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. 56. 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. 57. 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 fifty 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. 58. Section 10, chapter 189, Laws of 1967 and RCW 36.93.100 are each amended to read as follows:

The board shall review and approve, disapprove, or modify any of the actions set forth in RCW 36.93.090 when any of the following shall occur within sixty days of the filing of a notice of intention:

(1) The chairman or any three members of the boundary review board files a request for review;

(2) Any governmental unit affected files a request for review;

(3) A petition requesting review is filed and is signed by

(a) five percent of the registered voters residing within the area which is being considered for the proposed action (as determined by the boundary review board in its discretion subject to immediate review by writ of certiorari to the superior court); or

(b) an owner or owners of property consisting of ~~((five))~~ one and one-half percent of the assessed valuation within such area.

If a period of sixty days shall elapse without the board's jurisdiction having been invoked as set forth in this section, the proposed action shall be deemed approved.

Sec. 59. 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. 60. 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-five 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-five 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-five 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-five 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-five 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. 61. 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 fire fighters 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. 62. 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. 63. 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. 64. 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 fifty 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. 65. 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)) two and one-half cents per thousand dollars of assessed valuation against the ((tax)) valuation of the district;

(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. 66. 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 canvas 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. 67. 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))~~ one percent tax limitation.

Sec. 68. 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))~~ one percent tax limitation 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. 69. 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. 70. 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)) one percent limitation, 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. 71. 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)) one percent limitation.

Sec. 72. 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. 73. Section 2, chapter 93, Laws of 1917 and RCW 53.32.020 are each amended to read as follows:

The owner or owners of any shoreland bordering upon any such harbor area, shall have a preference right for the period of time hereinafter mentioned, to lease such harbor area, at an annual rental hereinafter specified. The owner or owners of any such shorelands shall have the exclusive right for a period of six months following the filing of the plat of any such harbor area hereafter to be filed covering harbor area within the limits of any port district, or in case of such plats heretofore filed, then within six months following March 12, 1917, to file with said port commission a written application for the leasing of such harbor area and to thereafter obtain a lease of such harbor area for a period of thirty years. If such exclusive preference right shall not be exercised by said shore owner within the time aforesaid, then any qualified person, firm or corporation may apply in writing to said port commission for the right to lease said harbor area; and upon the filing of such application, the said port commission shall forthwith notify the owner of the abutting shoreland of the pendency of said application and said owner shall be allowed sixty days from the date of the service of said notice, within which to exercise a preference right to lease said harbor area for a period of thirty years. If said owner be an actual resident of this state, notice shall be served upon him or it personally, but if he be not a resident of this state, said notice shall be sent to him by registered mail to his or its last

known address; and if the address of said nonresident be not known to said port commission, no notice shall be required. In case the abutting shoreland owner shall not exercise the right to lease within said six months period, then the port commission, whenever it shall deem it advisable, may offer for lease any part of such harbor area and shall give sixty days notice by publication that a lease of such part of such harbor area will be sold, at a time and place to be specified in said notice, to the person, association or corporation offering at such public sale to pay the highest sum as a cash bonus for such lease; and in such case the port commission shall serve notice of such intended sale upon the abutting shoreland owner for sixty days, as above set forth, during which time said shoreland owner shall have the right to exercise said preference rights to lease on the terms aforesaid. If the abutting owner shall not have exercised his or its preference right to lease prior to the time of sale, such lease shall be sold and made and delivered accordingly, the payment of the sum offered by the successful bidder being required at the time of such sale. Every lease obtained by virtue of the exercise of any such exclusive or preference right shall conform to the provisions of the state Constitution and shall provide that the harbor area described therein or such a reasonable portion thereof as shall be designated by the port commission of such port district, having in view the requirements of the business proposed to be carried on thereon, shall be improved upon plans approved by such commission, the construction of such improvement to be commenced within such time as may be fixed in each case by such port commission, such time to be in no case less than two years from the date of such leases and to be completed within such reasonable time thereafter as such port commission shall fix in each case, any of which time so fixed may be thereafter extended by such commission, the character of which improvements may, with approval of the port commission, be changed either before or after completion but in all cases where the abutting owner or owners claiming under him, had prior to February 22, 1913, built upon such area, such improvements shall, so far as otherwise conforming to the provisions of the state Constitution be recognized and accepted as a sufficient compliance with the requirements of this chapter, so far as concerns the area covered thereby, and as to uncovered area such improvements shall be given the same consideration as any other case, and every lease obtained by virtue of any such exclusive or preference right shall further provide that the annual rental to be paid shall be a sum equal to ~~((two)) one-half of one~~ percent of the assessed valuation for the year preceding the date of such lease of an equal area of adjoining or abutting shorelands exclusive of improvements thereon, and where the adjoining or abutting strip of shorelands is of less width than the harbor area, a value proportional to such width: PROVIDED FURTHER, HOWEVER, That the foregoing provision fixing the rate of rental shall not extend beyond December 21, 1928, but all rentals after that date shall be subject to be controlled and fixed in the manner and by the public authority or authorities then provided by law for the same.

Sec. 74. 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)) fifty 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)) fifty 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. 75. 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)) fifty 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. 76. 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)) fifty 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. 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. 77. Section 1, chapter 7, Laws of 1941 and RCW 53.43.010 are each amended to read as follows:

Any indebtedness heretofore contracted by the board of commissioners of any port district of the state of Washington having an assessed valuation of less than ~~((three))~~ twelve million dollars without an election authorizing the same, for and on behalf of the port district for port district purposes, in any amount (together with all other port district indebtedness, contracted by the board of commissioners without an election authorizing the same, existing as of the date or dates of the contracting of the indebtedness first referred to herein) not in excess of one and one-half percent of the value of the taxable property therein but exceeding (together with the said other and additional indebtedness above referred to) the amount of indebtedness permitted to be incurred by port districts without an election authorizing the same under the statutes of Washington, is hereby validated: PROVIDED, That before any such validation shall become effectual as to any specific indebtedness of any such port district, the board of commissioners thereof shall investigate the incurring of all such indebtedness and the issuance of the bonds, warrants, or other instruments evidencing such indebtedness, and shall be required to find, determine, and declare therefrom, by and in a resolution adopted by said board, that the indebtedness in question has been contracted and incurred for port district purposes and that such indebtedness constitutes a proper and equitable charge against such port district, and that it constitutes the valid indebtedness of the port district; whereupon such indebtedness shall be the valid and legal indebtedness of such port district.

Sec. 78. Section 5, chapter 7, Laws of 1941 and RCW 53.43.050 are each amended to read as follows:

Port district indebtedness heretofore incurred by any port district of the state of Washington having an assessed valuation of less than ~~((three))~~ twelve million dollars in an amount in excess of one and one-half percent of the value of the taxable property within any such port district but not exceeding five percent of such value, may be validated by a vote of three-fifths of the voters of such port district, voting on the proposition of the validation of such indebtedness and assenting thereto at a general or special election held within such port district (as other elections are held within port districts), at which election the proposition of such validation shall be submitted; and thereupon any such indebtedness thus validated, or any other valid indebtedness of the port district, may be funded or refunded, under the provisions of this chapter, subject to all the foregoing requirements affecting funding and refunding bonds.

Sec. 79. 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~~) fifty 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. 80. 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~~) fifty 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. 81. 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)) one percent tax limitation 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. 82. 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. 83. 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)) one percent tax limitation 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. 84. 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~~)) one percent tax limitation 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. 85. 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~~) one percent tax limitation 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. 86. 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~~) one percent tax limitation 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. 87. 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)) one percent limitation 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. 88. 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. 89. 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~~) one percent tax limitation 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. has been adopted the commissioners shall carry it out to the extent specified in the proposition to incur general indebtedness.

Sec. 90. 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 same 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~~) one percent limitation 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. 91. 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)) one percent limitation 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)) one percent tax limitation 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. 92. 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)) one percent tax limitation shall apply to the refunding general obligation bonds issued under this section.

Sec. 93. 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. 94. 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. 95. 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. 96. 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. 97. 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~~) twelve and one-half cents per thousand dollars of assessed valuation.

Sec. 98. 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. 99. 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~~) three and one-eighth 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. 100. 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~~) three and one-eighth 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))~~ three and one-eighth 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. 101. 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))~~ three and one-eighth 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))~~ three and one-eighth 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. 102. 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) six and one-quarter 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. 103. 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~~) one percent 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. 104. 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)) one percent limitation 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. 105. 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. 106. 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-eighth 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. 107. 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. 108. 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. 109. 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. 110. 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. 111. Section 8, chapter 294, chapter 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. 112. 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. 113. 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.

Sec. 114. 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. 115. 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~~) one hundred percent of its true and fair value in money.

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. 116. Section 84.40.C40, 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. 117. 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 the 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. 118. 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. 119. Section 4, chapter 8, Laws of 1972 ex. sess. as last amended by section 1, chapter 2, Laws of 1973 (Initiative Measure No. 44) and RCW 84.52.050 are each amended to read as follows:

Except as hereinafter provided, the aggregate of all tax levies upon real and personal property by the state, municipal corporations, taxing districts and governmental agencies, now existing or hereafter created, shall not exceed ((twenty mills on the dollar)) ten dollars per thousand dollars of assessed valuation, which assessed valuation shall be ((fifty)) one hundred percent of the true and fair value of such property in money.

((Nothing herein contained shall prohibit the legislature from allocating or reallocating up to twenty mills between the taxing districts of the state and its political subdivisions and nothing herein contained shall prevent levies at the rates provided by existing law by or for any port or power district.))

Within and subject to the limitations imposed by this section the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named shall be as follows: The levy by any county shall not exceed two dollars per thousand dollars of assessed value; the levy by or for any school district shall not exceed four dollars per thousand dollars of assessed value; the levy for any road district shall not exceed two dollars and fifty cents per thousand dollars of assessed value; and the levy by or for any city or town shall not exceed three dollars and seventy-five cents per thousand dollars of assessed value: PROVIDED FURTHER, That counties of the fifth class and under are hereby authorized to levy from two dollars to two dollars and seventy-five cents per thousand dollars of assessed value for general county purposes and from one dollar and seventy-five cents to two dollars and fifty cents per thousand dollars of assessed value for county road purposes if the total levy for both purposes does not exceed four dollars and fifty 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 twenty-five cents per thousand dollars of assessed value until such time as the junior taxing agencies are utilizing all the millage available to them.

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.

Sec. 120. 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, 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, 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. 121. 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. 122. 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)) fifty 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 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 one mill 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)) one percent limitation provided for in Article VII, section 2 of the state Constitution.

Sec. 123. Section 84.52.080, chapter 15, Laws of 1961 as amended by section 1, chapter 7, Laws of 1965 ex. sess. and RCW 84.52.080 are each amended to read as follows:

The county assessor shall extend the taxes upon the tax rolls in the form herein prescribed. The rate ((percent)) necessary to raise the amounts of taxes levied for state and county purposes, and for purposes of taxing districts coextensive with the county, shall be computed upon the assessed value of the property of the county; the rate ((percent)) necessary to raise the amount of taxes levied for any taxing district within the county shall be computed upon the assessed value of the property of the district; all taxes assessed against any property shall be added together and extended on the rolls in a column headed consolidated or total tax. In extending any tax, whenever it amounts to a fractional part of a cent greater than five mills it shall be made one cent, and whenever it amounts to five mills or less than five mills it shall be dropped. The amount of all taxes shall be entered in the proper columns, as shown by entering the rate percent necessary to raise the consolidated or total tax and the total tax assessed against the property.

Upon the completion of such tax extension, it shall be the duty of the county assessor to make in each assessment book, tax roll or list a certificate in the

following form:

I,....., assessor of..... county, state of Washington, do hereby certify that the foregoing is a correct list of taxes levied on the real and personal property in the county of..... for the year one thousand nine hundred and.....

Witness my hand this.....day of....., 19.....

..... County Assessor

The county assessor shall deliver said tax rolls to the county treasurer on or before the fifteenth day of December, taking his receipt therefor, and at the same time the county assessor shall provide the county auditor with an abstract of the tax rolls showing the total amount of taxes collectible in each of the taxing districts.

Sec. 124. 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. 125. 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 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 rate limitation and the denominator of which is the ((millage)) dollar rate limitation for the prior year.

Sec. 126. 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. 127. 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. 128. Section 84.56.340, chapter 15, Laws of 1961 as amended by section 1, chapter 48, Laws of 1971 ex. sess. and RCW 84.56.340 are each amended to read as follows:

Any person desiring to pay taxes upon any part or parts of real property heretofore or hereafter assessed as one parcel, or tract, may do so by applying to the county assessor, who must carefully investigate and ascertain the relative or proportionate value said part bears to the whole tract assessed, on which basis the assessment must be divided, and the assessor shall forthwith certify such proportionate value to the county treasurer: PROVIDED, That excepting when property is being acquired for public use no segregation of property for tax purposes shall be made unless all delinquent taxes and assessments on the entire tract have been paid in full: AND PROVIDED FURTHER, That where the assessed valuation of the tract to be divided exceeds ((two)) four thousand dollars a notice by registered mail must be given by the assessor to the several owners interested in said tract, if known, and if no protest against said division be filed with the county

assessor within twenty days from date of notice, the county assessor shall duly certify the proportionate value to the county treasurer. The county treasurer, upon receipt of certification, shall duly accept payment and issue receipt on the apportionment certified by the county assessor. In cases where protest is filed to said division appeal shall be made to the county commissioners at their next regular session for final division, and the county treasurer shall accept and receipt for said taxes as determined and ordered by county commissioners. Any person desiring to pay on an undivided interest in any real property may do so by paying to the county treasurer a sum equal to such proportion of the entire taxes charged on the entire tract as interest paid on bears to the whole.

Sec. 129. 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 where in 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)) dollar rate tax levy 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. 130. 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. 131. 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)) dollar rates 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. 132. 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. 133. 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. 134. 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. 135. 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. 136. 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. 137. 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. 138. 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 roll 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. 139. 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. 140. 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. 141. 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. 142. 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. 143. 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. 144. 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. 145. 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. 146. 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. 147. 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 value 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. 148. 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. 149. 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)) one percent limitation, 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. 150. 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.

Sec. 151. Section 1, chapter 236, Laws of 1907 and RCW 88.32.010 are each amended to read as follows:

Every county in this state is hereby authorized and empowered, by and through its county commissioners, whenever the government of the United States is intending or proposing the construction or operation of any river, lake, canal or harbor improvement, partly or wholly within such county, and whenever said board of county commissioners shall adjudge, upon a petition therefor filed with it and signed by at least one hundred freeholders of said county who each own realty of the assessed valuation of not less than ((five)) twenty thousand dollars, situated within the limits of the improvement district sought to be created, that it is for the general benefit and welfare of the people of the county, that such river, lake, canal or harbor improvement be made and completed to define and establish an assessment district within such county and to levy an assessment upon so much of the taxable real estate of such county as shall be specially benefited by such improvement as hereinafter provided, for the purpose of paying the expenses of such improvement, or so much thereof as said board of county commissioners shall determine, not in any instance exceeding ((one)) four percent of the taxable valuations of all real and personal property in the entire county as appearing on the then last assessment roll. Such improvement shall be known as river and harbor improvement.

Sec. 152. Section 12, chapter 158, Laws of 1919 as



last amended by section 1, chapter 24, Laws of 1933 and RCW 89.16.120 are each amended to read as follows:

For the purpose of raising revenue for the carrying out of the provisions of this chapter, the state equalization committee shall, beginning the fiscal year of 1919, and annually thereafter, except in the years 1933 and 1934, at the time of levying taxes for state purposes, levy upon all property subject to taxation, and the proper officers shall collect, a tax of ~~((one-half of one mill))~~ twelve and one-half cents per thousand dollars of assessed valuation. The revenue so raised shall be paid into the state treasury and credited to the state reclamation revolving fund.

Sec. 153. Section 148, chapter 254, Laws of 1927 and RCW 89.30.442 are each amended to read as follows:

The cost of making said survey and investigation shall be paid from any funds available for the purpose in the treasury of the reclamation district; PROVIDED, That the annual tax levy made by the reclamation district for such purpose shall not exceed ~~((one mill))~~ twenty-five cents per thousand dollars of assessed valuation in any year.

NEW SECTION. Sec. 154. Sections 14 and 24 of this 1973 amendatory act shall not be effective until July 1, 1973, at which time sections 13 and 23 of this 1973 amendatory act shall be void and of no effect. Section 15 of this 1973 amendatory act shall not be effective until January 1, 1974, at which time section 14 of this 1973 amendatory act shall be void and of no effect. Section 16 of this 1973 amendatory act shall not be effective until July 1, 1974 at which time section 15 of this 1973 amendatory act shall be void and of no effect.

Section 17 of this 1973 amendatory act shall not be effective until July 1, 1975, at which time section 16 of this 1973 amendatory act shall be void and of no effect. Section 18 of this 1973 amendatory act shall not be effective until July 1, 1976 at which time section 17 of this 1973 amendatory act shall be void and of no effect.

NEW SECTION. Sec. 155. The following acts or parts of acts are each hereby repealed:

(1) Section 8, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.061;

(2) Section 1, chapter 133, Laws of 1967 ex. sess., section 2, chapter 216, Laws of 1969 ex. sess. section 25, chapter 299, Laws of 1971 ex. sess. and RCW 84.52.065;

(3) 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

(4) 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. 156. 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. 157. 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 line 1 of the title after "taxation" strike the remainder of the title and insert the following:  
"amending section 12, chapter 12, Laws of 1939 and RCW 2.50.120; amending section 2, chapter 2, Laws of 1895 and RCW 8.08.110; amending 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 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 46, Laws of 1973 and RCW 28A.41.130; amending section 28A.47.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.070; amending section 28A.47.530, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.530; amending section 28A.47.640, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.640; amending section 28A.47.734, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.734; amending section 28A.48.110, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 100, Laws of 1971 ex. sess. and RCW 28A.48.110; amending section 28A.48.110, chapter 223, Laws of 1969 ex. sess. as last amended by section 10, chapter 124, Laws of 1972 ex. sess. and RCW 28A.48.110; amending section 28B.60.110, chapter 223, Laws of 1969 ex. sess. and RCW 28B.60.110; 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 35.43.130, chapter 7, Laws of 1965 as amended by section 6, chapter 52, Laws of 1967 and RCW 35.43.130; amending section 35.56.190, 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 10, chapter 189, Laws of 1967 and RCW 36.93.100; 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 2, chapter 93, Laws of 1917 and RCW 53.32.020; 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 1, chapter 7, Laws of 1941 and RCW 53.43.010; amending section 5, chapter 7, Laws of 1941 and RCW 53.43.050; 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 73.03.080; 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 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 4, chapter 8, Laws of 1970 ex. sess. as last amended by section 1, chapter 2, Laws of 1973 (Initiative Measure No. 44) and RCW 84.52.050; 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 9, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.063; amending section 84.52.080, chapter 15, Laws of 1961 as amended by section 1, chapter 7, Laws of 1965 ex. sess. and RCW 84.52.080; 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 84.56.340, chapter 15, Laws of 1961 as amended by section 1, chapter 48, Laws of 1971 ex. sess. and RCW 84.56.340; 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; amending section 1, chapter 236, Laws of 1907 and RCW 88.32.010; amending section 12, chapter 158, Laws of 1919 as last amended by section 1, chapter 24, Laws of 1933 and RCW 89.16.120; amending section 148, chapter 254, Laws of 1927 and RCW 89.30.442; repealing section 8, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.061; repealing section 1, chapter 133, Laws of 1967 ex. sess., section 2, chapter 216, Laws of 1969 ex. sess., section 25, chapter 299, Laws of 1971 ex. sess. and RCW 84.52.065; 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."

Signed by Representatives Randall, Chairman; Sommers, Vice Chairman; Bagnariol, Beritz, Bluechel, Eikenberry, Erickson, Flanagan, Goltz, Hurley, Julin, Kilbury, King, Kuehne, Moon, Newhouse, Pardini, Sawyer.

April 5, 1973

SENATE BILL NO. 2480, Prime Sponsor: Senator Henry, relating to reforestation lands, disposition of proceeds, reported by Committee on Natural Resources.

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:

"Section 1. 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 are each amended to read as follows:

If any land acquired by a county through foreclosure of tax liens, or otherwise, comes within the classification of land described in RCW 76.12.020 and can be used as state forest land and if the board deems such land necessary for the purposes of this chapter, the county shall, upon demand by the board, deed such land to the board and the land shall become a part of the state forest lands, and upon

such deed being made the commissioner of public lands shall be notified and enter and note it upon the records of his office.

Such land shall be held in trust and administered and protected by the board as other state forest lands. Any moneys derived from the lease of such land or from the sale of forest products, oils, gases, coal, minerals, or fossils therefrom, shall be distributed as follows:

(1) The expense incurred by the state for administration, reforestation, and protection, not to exceed twenty-five percent, which rate of percentage shall be determined by the board of natural resources, shall be returned to the forest development account in the state general fund.

(2) Any balance remaining shall be paid to the county in which the land is located funds in the same manner as general taxes are paid and distributed during the year of payment: PROVIDED, That any such balance remaining paid to a county of the seventh, eighth, or ninth class ~~((shall))~~ may first be applied to the reduction of any indebtedness existing in the current expense fund of such county during the year of payment; PROVIDED FURTHER, That (a) At least sixty percent of the funds received by the county shall be distributed to the school district or districts encompassing the areas from which the timber was removed; (b) Up to forty percent of the funds received may be used by the county to pay any indebtedness existing in the current expense fund at the time said moneys are received. Any balances remaining may be used by the county for public works projects in conjunction with any existing municipality located within the county, and in that regard the county legislative authority may, if they deem the public's health, safety and welfare will best be served thereby, grant said moneys to municipalities for public works projects provided this authorization is intended to be in addition to any existing powers the counties may have to contract with municipalities; PROVIDED, That the counties shall not levy any special levies nor increase its bonded indebtedness with regard to any public works projects, but shall make said grant exclusively from the funds on hand received from this source; (c) Up to ten percent of the moneys received by the county may be distributed to the various other taxing districts encompassing the areas wherein the timber was removed from, excluding the school district or districts therein, in such proportions as the county legislative authority deem advisable."

Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Conner, Gilleland, Hansen, Hansey, Haussler, Kalich, Kilbury.

April 5, 1973

SUBSTITUTE SENATE BILL NO. 2589, Prime sponsor of original bill: Senator Woody, setting allowable interest and fees chargeable by pawnbrokers, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Kelley, Leckenby, Luders, Moon, Pardini, Parker, Van Dyk.

April 5, 1973

ENGROSSED SENATE BILL NO. 2667, Prime Sponsor: Senator Dore, 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 Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Blair, Chatalas, Eikenberry, Kelley, Leckenby, Luders, Moon, Pardini, Parker, Van Dyk.

April 6, 1973

SUBSTITUTE SENATE BILL NO. 2736, Prime sponsor of original bill: Senator Marsh, making it a misdemeanor to obtain broadcast signals from a cable system without obtaining the permission of the owner of the system, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Maxie, Newhouse, Shipcoch, Smith, Sommers, Swayze.

April 6, 1973

SENATE BILL NO. 2833, Prime Sponsor: Senator Durkan, 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 Representatives Luders, Chairman; Smith, Vice Chairman; Bauer, Beck, Douthwaite, Goltz, McCormick, Nelson, Valle.

#### MOTION

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to the Committee on Rules for second reading.

The motion was carried.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.



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AFTERNOON SESSION  
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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

## SECOND READING

HOUSE BILL NO. 742, by Representatives Valle, Charnley, Brown, Maxie, King, Blair, North (Lois) and Sommers:

Setting forth rights for part time faculty instructors of community colleges.

## MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 742 and the bill was ordered placed at the bottom of today's consent calendar.

HOUSE BILL NO. 743, by Representatives Perry, Rabel and Charette:

Adding additional exemptions to the state civil service act.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments see Journal for thirty-seventh day, February 13, 1973.)

The bill was read the second time.

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

On motion of Mr. Perry, the following amendment was adopted:

On page 3, section 1, beginning on line 28 strike all of subsection (22) and insert the following:

"(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 exemptions 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."

House Bill No. 743 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 743 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 743, and the bill passed the House by the following vote: Yeas, 89; nays, 1; not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Savage.

Not voting: Representatives Barden, Berentson, Hendricks, Kelley, Lysen, Shipoch, Warnke, and Mr. Speaker.

Engrossed House Bill No. 743, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 862, by Representative Luders:

Relating to air pollution.

MOTION

On motion of Mr. Thompson, consideration of House Bill No. 862 was deferred, and the bill was ordered placed at the bottom of today's consent calendar.

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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1008 was placed on final passage.

Mr. Charette spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1008, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Barden, Berentson, Gaines, Hendricks, Kelley, Savage, Shinpoch, and Mr. Speaker.

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.

HOUSE BILL NO. 1061, by Representatives Wojahn and Parker:

Amending the unemployment compensation law relating to certain pension benefits and pregnancy exclusions.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments see Journal for twenty-third day, Ex. Sess., March 31, 1973.)

The bill was read the second time.

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

House Bill No. 1061 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1061 was placed on final passage.

Mrs. Wojahn spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1061, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Benitz, Hendricks, Kelley.

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.

HOUSE BILL NO. 1063, by Representatives Douthwaite and Kraabel:

Making certain changes in the administration of metropolitan public transportation facilities.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1063 was placed on final passage.

Mr. Beck spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1063, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Benitz, Hendricks, and Mr. Speaker.

House Bill No. 1063, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Thompson moved that the following bills be advanced to the top of the second reading calendar for consideration in the following order: HOUSE BILL NO. 340, HOUSE BILL NO. 435, HOUSE BILL NO. 928, SUBSTITUTE HOUSE BILL NO. 1060, and HOUSE BILL NO. 1099.

The motion was carried.

HOUSE BILL NO. 340, by Representatives Morrison, Johnson, Smythe and Maxie (by Department of Social and Health Services request):

Implementing law on tuberculosis hospitalization and control.

The House resumed consideration of House Bill No. 340. The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Parker that Substitute House Bill No. 340 be substituted for House Bill No. 340 and the substitute bill be placed on the calendar for second reading. (For previous House action, see Journal for twenty-ninth day, Ex. Sess., April 6, 1973.)

Mr. Parker spoke in favor of the motion, and Mr. Morrison spoke against it.

Mr. Parker spoke again in favor of the motion, and Mrs. North (Lois) spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Parker that Substitute House Bill No. 340 be substituted for House Bill No. 340 and the substitute bill be placed on the calendar for second reading, and the motion was carried by the following vote: Yeas, 52; nays, 44; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Ceccarelli, Charette, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, Knowles, Kopet, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, O'Brien, Paris, Parker, Randall, Savage, Shinoch, Sommers, Swayze, Thompson, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amer, Barden, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Clemente, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Julin, King, Kraabel, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North F., North L., Patterson, Polk, Pullen, Rabel, Schumaker, Smith, Smythe, Tilly, Valle, Wilson, Zimmerman.

Not voting: Representatives Pardini, Perry.

Substitute House Bill No. 340 was read the second time.

Mr. Parker moved adoption of the following amendment:

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 sole powers, duties and responsibilities, throughout the district, as local health officers for the control, prevention, case-finding and treatment of persons who have or may have tuberculosis."

Mr. Parker spoke in favor of the amendment and Mr. Matthews spoke against it.

Mr. Parker spoke again in favor of the amendment and Mr. Morrison spoke against it.

The amendment by Mr. Parker was not adopted.

#### MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third and Substitute House Bill No. 340 be placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the motion to advance Substitute House Bill No. 340 to third reading and final passage, and the motion was lost by the following vote: Yeas, 58; nays, 39; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Kopet, Kuehnle, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North P., O'Brien, Parker, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bender, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Julin, Knowles, Kraabel, Laughlin, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Smythe, Tilly, Wilson, Zimmerman.

Not voting: Representative Benitz.

HOUSE BILL NO. 435, by Representatives Bausch, Hendricks, Thompson, Adams, Bender, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kilbury, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North (Frances), Paris, Parker, Savage, Smith, Valle, Van Dyk, Warnke, Wajahn and Williams (by Public Employees' Retirement Board request):

Making certain revisions in the public employees' retirement system.

#### MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 435, and the bill was ordered placed on the calendar following House Bill No. 1099.

HOUSE BILL NO. 928, by Representatives Thompson, Pardini and Gaspard:

Implementing the state liquor laws.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments see Journal for twenty-ninth day, Ex. Sess., April 6, 1973.)

The bill was read the second time.

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

House Bill No. 928 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 928 was placed on final passage.

Mr. Thompson spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Thompson, I notice in one section of this bill, I believe section 9, you are amending a section of the Code (RCW 66.28.090) and in section 11, the last section, you are repealing that same section. That would appear to be a rather serious conflict. Do you have any comment on this?"

Mr. Thompson: "I am going to attempt to answer this. If my answer is not satisfactory to the other sponsors present here, I would like them to have an opportunity to respond also, Representative Newhouse. The committee amendment removing the section you allude to is not a repealer. It is simply a removal of this section



from the bill. Representative Pardini is shaking his head so I want him to have an opportunity to answer too, please, so I'll leave it there."

Mr. Pardini: "Representative Newhouse has raised a very valid question. I've been off the floor for the last five minutes trying to track it down. New Section 11 on the last page of this bill says 'RCW 66.28.090 are each repealed.' It is not our intent to repeal that, because we have just gone in previously and corrected that section on the top of page 18 by saying inspection shall be at reasonable times. We are adding the word 'reasonable,' correcting that inspection statute. I was trying to get an answer on this as to whether this was a typographical error or whether there was another section to be repealed, but we have advanced to third reading on this. I just simply cannot answer this for you other than give you the assurance that we will get it straightened around in the Senate if the bill should pass."

Mr. Pardini spoke in favor of the bill.

#### MOTION

Mr. Newhouse moved that the House defer further consideration of Engrossed House Bill No. 928 on third reading and that the bill be placed on the calendar for the next working day.

Mr. Newhouse spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Pardini, as you know, a number of us have been concerned about the discretionary powers of the Liquor Control Board. These would be the clubs which have racial exclusionary clauses. I wondered whether this bill directly grants any powers to the board with reference to this question?"

#### POINT OF ORDER

Mr. Newhouse: "The question is not directed to the motion before the House, which is to defer action."

The Speaker (Mr. O'Brien presiding): "There is some latitude, of course, on asking questions on a motion to defer consideration. However, I would ask Mr. Douthwaite to hold his questions as to making a decision on how to vote and whether or not he wants to defer action on it."

Mr. Douthwaite: "Thank you, Mr. Speaker, that was partly the reason for my question. Also, if we do defer action based on the answer to this question, I might be able to help Mr. Newhouse improve the bill. I think probably I know the answer, but I would like Mr. Pardini to tell me whether or not the board has any powers in this bill to rule, based on its discretion, in granting or

denying licenses as a function of whether or not these clubs deal with racial discrimination clauses."

Mr. Pardini: "Mr. Douthwaite, the bill does not deal with the question of racial discrimination in private clubs in any way, shape or form."

With the consent of the House, Mr. Newhouse withdrew his motion to defer consideration of Engrossed House Bill No. 928.

#### MOTION

On motion of Mr. Charette, the rules were suspended and Engrossed House Bill No. 928 was returned to second reading for the purpose of amendment.

Mr. Pardini moved adoption of the following amendment:

On page 19, section 11, lines 19 and 20 strike "RCW 66.28.090 are each repealed"

#### POINT OF ORDER

Mr. Newhouse: "I am not entirely convinced the amendment is in order. I wonder if section 11 should not be stricken from the bill with also the proper title amendment to accomplish that purpose?"

With the consent of the House, Mr. Pardini withdrew his amendment.

Mr. Pardini moved adoption of the following amendment:

On page 19 strike all of section 11.

Representatives Pardini and Charette spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Pardini, the following amendment to the title was adopted:

Beginning on line 23 of the title strike "and repealing" on line 23 and all material on lines 24 and 25

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 928 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 928, and the bill passed the House by the following vote: Yeas, 72; nays, 23; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler,

Hayner, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Gilleland, Hansey, Hendricks, Hurley, Juelling, Julin, Kopet, Leckenby, Morrison, Newhouse, Polk, Rabel, Tilly, Zimmerman.

Not voting: Representatives Flanagan, Hoggins, Warnke.

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.

SUBSTITUTE HOUSE BILL NO. 1060, by Representatives Bagnariol, Randall, Sommers and Williams:

Limiting aggregate property tax levies to one percent of true and fair value.

The House resumed consideration of Substitute House Bill No. 1060 on second reading. (For previous House action, see Journal for twenty-eighth day, Ex. Sess., April 5, 1973.)

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1060 was placed on final passage.

Mr. Bagnariol spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1060, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams,

Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Lysen.

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.

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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1099 was placed on final passage.

Mr. Perry spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1099, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Flanagan.

Not voting: Representatives Anderson, Curtis, Polk.

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. 435, by Representatives Bausch, Hendricks, Thompson, Adams, Bender, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kilbury, Laughlin, Luders, Martinis, Maxie,

May, McCormick, Moon, North (Frances), Paris, Parker, Savage, Smith, Valle, Van Dyk, Warnke, Wojahn and Williams (by Public Employees' Retirement Board request):

Making certain revisions in the public employees' retirement system.

#### MOTIONS

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 435, and the bill was ordered placed at the top of tomorrow's second reading calendar.

Mr. Thompson moved that the House do now consider the second reading of House Bills listed on today's calendar beginning with HOUSE BILL NO. 445.

The motion was carried.

HOUSE BILL NO. 445, by Representatives Adams, Paris, McCormick, Wojahn, Conner, Gallagher, Bagnariol, Smythe, Douthwaite, Swayze, Charette, Goltz, Eng, Ceccarelli, Johnson, Lysen, Jastad, Freeman and Parker:

Prohibiting discrimination in employment because of physical handicap.

#### MOTION

On motion of Mr. Adams, Substitute House Bill No. 445 was substituted for House Bill No. 445, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 445 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 445 was placed on final passage.

Mr. Adams spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Charnley.

Mr. Charnley: "Dr. Adams, I wonder if you could tell me if this would also make it possible for individuals who are blind to serve on jury duty--if this bill attacks that particular question?"

Mr. Adams: "I would presume so. I wouldn't be able to answer that definitely."

Mr. Charnley spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Morrison.

Mr. Morrison: "Dr. Adams, I'm sorry I missed part of the consideration of this. Does this relate also to the mentally handicapped?"

Mr. Adams: "Yes, it does."

Mr. Morrison: "Is there a provision in the bill that also indicates that not just the physically handicapped, but also the mentally handicapped would be measured before they would be forced to be hired by a specific industry?"

Mr. Adams: "That is right."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 445, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Flanagan, Hurley, Julin.

Not voting: Representatives Curtis, Kraabel, and Mr. Speaker.

Substitute House Bill No. 445, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 556, by Representatives Maxie, Rabel and King:

Providing for student participation in community college tenure process.

The bill was read the second time.

On motion of Mr. Kuehnle, the following amendment by Representatives Kuehnle and Maxie was adopted:

On page 2, section 2, line 21 after "representative" and before "shall" insert "who shall be a full time student,"

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle and Maxie:

On page 2, line 24 strike all of section 3.

Mr. Kuehnle spoke in favor of the amendment, and Mr. Charnley spoke against it.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Kuehnle, could you define for me the powers, duties and authorities of the tenure review committee?"

Mr. Kuehnle: "The powers of the review committee are to take into consideration all elements associated with the determination of awarding tenure to a faculty representative. This, I think, is the reason for adding a student representative to that committee, to get total input. And I don't think there is any argument with that point. Certainly that student input should be there, and there is no argument with the point that Representative Charnley raises, that student evaluations should be considered. I merely would ask you to read the language of the bill and the way it is worded: 'The evaluation process, utilizing student evaluations, shall place . . .' etc. A strict interpretation of that wording would mean that the evaluation would have to be done solely on the basis of student evaluation. That certainly isn't the intent of the language."

Mr. Flanagan: "I thought when a teacher got a contract, he automatically had tenure. Do you mean that this review committee can remove tenure?"

Mr. Kuehnle: "There is a three-year probationary period, as I understand it, and the review committee then makes a determination as to whether the teacher should be placed on tenure after that probationary period is up. Somebody can correct me on that if I am wrong, but that is my understanding."

Mr. Charnley: "Mr. Flanagan, as is presently constituted, there is a three-year probationary period. The college can hire a new teacher at the end of the first year or the second year; but at the end of the third year they must either hire him or they must dismiss him, so there is some latitude that way."

Mr. Douthwaite spoke against adoption of the amendment by Representatives Kuehnle and Maxie, and Mr. Kuehnle spoke again in favor of the amendment.

The amendment was adopted on a rising vote.

On motion of Mr. Kuehnle, the following amendment to the title was adopted:

On page 1, line 3 of the title beginning with "amending" strike everything through "28B.50.856;" on line 4.

House Bill No. 556 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 556 was placed on final passage.

Ms. Maxie spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 556, and the bill passed the House by the following vote: Yeas, 95; nays, 3; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Curtis, Juelling, Swayze.

Engrossed House Bill No. 556, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 903, by Representative King:

Relating to elections.

#### MOTION

On motion of Mr. King, Substitute House Bill No. 903 was substituted for House Bill No. 903, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 903 was read the second time.



On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 903 was placed on final passage.

Mr. King spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 903, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastaad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnie, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Smith.

Substitute House Bill No. 903, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

HOUSE BILL NO. 1006, by Representatives Randall, Chatalas and Bagnariol:

Exempting certain personal contracts and athletic or sports franchises from property taxation.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1006 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1006, and the bill passed the House by the following vote: Yeas, 76; nays, 21; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Beck, Bender, Berentson, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Eikenberry, Ellis, Eng, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland,

Goltz, Hansen, Hansey, Haussler, Hayner, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Bausch, Blair, Charnley, Douthwaite, Ehlers, Erickson, Fortson, Hendricks, Hoggins, Kelley, Laughlin, Lysen, Maxie, Moon, North F., Shipoch, Tilly, Warnke, Williams, Wojahn.

Not voting: Representative Benitz.

House Bill No. 1006, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL No. 1026, by Representatives Van Dyk, North (Lois), Goltz, Kilbury, Douthwaite, Fortson, Charnley, Rabel, Lysen, Sommers and Kelley:

Providing for a state-wide system of unit pricing in grocery stores.

#### MOTION

On motion of Mr. Thompson, consideration of House Bill No. 1026 was deferred and the bill was ordered placed on tomorrow's second reading calendar.

HOUSE BILL NO. 1049, 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.

#### MOTION

Mr. Savage moved that Substitute House Bill No. 1049 be substituted for House Bill No. 1049, and the substitute bill be placed on the calendar for second reading.

Representative Morrison spoke against the motion.

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

Mr. Savage spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Savage that Substitute House Bill No. 1049 be substituted for House Bill No. 1049, and the substitute bill be placed on the calendar for second reading, and the motion was carried by the following vote: Yeas, 60; nays, 37; not

voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Wilson.

Not voting: Representative Rabel.

Substitute House Bill No. 1049 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1049 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1049, and the bill passed the House by the following vote: Yeas, 63; nays, 34; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Berentson, Bluechel, Brown, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Wilson.

Not voting: Representative Smythe.

Substitute House Bill No. 1049, having received the constitutional majority, was 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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1105 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1105, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warneke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Hansey.

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 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.

Mr. Douthwaite moved adoption of the following amendment by Representatives Kraabel and Douthwaite:

On page 1, line 13 after "in" strike "an urban" and insert "a public"

Mr. Douthwaite spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Williams.

Mr. Williams: "Is it your intention to change the language on line 20 also to make it correspond? The following language says 'as determined by the legislature,' and I think we ought to change it both places."

Mr. Douthwaite: "Yes, thank you, I think your point is well taken. 'Urban' should be stricken in favor of 'public' in both line 13 and line 20."

Mr. Douthwaite spoke again in favor of the amendment.

## POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Julin.

Mr. Julin: "I see that you are, on line 13, changing 'an urban development or redevelopment' to 'a public development or redevelopment.' In the context of the measure that is now before us, it seems to me that this language change would permit this type of financing for any public project, of any kind, any place, because you are talking about the area that includes all or a part of an area included in a public development. It seems to me that just about includes everything. I wonder if you aren't going a lot farther with this than you really intend?"

Mr. Douthwaite: "Yes, Representative Julin, I don't believe there is any problem here. I believe the intent is to allow this type of a development to take place if the local community desires it, either in a city or in a county, anywhere within the state. You are quite right about that. If the people in that particular locale wish to indulge or engage in this type of a bond effort--in a regenerative effort--within their area, that is the intent, yes."

Representatives Julin and Bluechel spoke against the amendment, and Representative Kraabel spoke in favor of its adoption.

Mr. Barden demanded the previous question and the demand was sustained.

The amendment by Representatives Douthwaite and Kraabel to House Joint Resolution No. 22 was not adopted.

Mr. Flanagan moved adoption of the following amendments:

On page 1, line 13 after "in" insert "or benefited by"

On page 1, line 22 after "project." insert "Any bonded indebtedness incurred for the financing of such urban development project must be repaid solely from revenues derived from taxes levied against the increase in true and fair value of properties in the project and benefited area."

Representatives Flanagan and Kraabel spoke in favor of the amendments, and Representatives Perry and Barden spoke against their adoption.

Mr. Flanagan spoke again in favor of the amendments.

Representatives O'Brien and Williams spoke against adoption of the amendments, and Representative Douthwaite spoke in favor of the amendments.

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

Mr. Pardini demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendments by Mr. Flanagan to House Joint Resolution No. 22, and the amendments were lost by the following vote: Yeas, 40; nays, 57; not voting, 1.

Voting yea: Representatives Amen, Bauer, Benitz, Cunningham, Curtis, Douthwaite, Eikenberry, Eng, Flanagan, Fortson, Freeman, Garrett, Hansen, Hansey, Haussler, Hayner, Hendricks, Juelling, Julin, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, May, Morrison, Newhouse, North F., North L., Pardini, Paris, Parker, Polk, Pullen, Schumaker, Sommers, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Erickson, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hoggins, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Nelson, O'Brien, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Hurley.

On motion of Mr. Conner; the rules were suspended, the second reading considered the third, and House Joint Resolution No. 22 was placed on final passage.

Representatives Kraabel and O'Brien spoke in favor of passage of the resolution.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 22, and the resolution passed the House by the following vote: Yeas, 72; nays, 25; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas,

Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North L., O'Brien, Paris, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bauer, Benitz, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Hendricks, Jueling, Kopet, Kuehnle, Leckenby, Morrison, Newhouse, North F., Pardini, Parker, Polk, Pullen, Schumaker, Smythe, Tilly, Wojahn.

Not voting: Representative Hurley.

House Joint Resolution No. 22, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Thompson moved that the House do now consider the remainder of House Bills on second reading, beginning in order with HOUSE BILL NO. 227.

The motion was carried.

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.

House Bill No. 227 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 264, by Representatives Smythe, May, Kuehnle and Luders:

Implementing the law relating to liens, including mechanics' and materialmen's liens.

#### MOTION

On motion of Representative Kelley, Substitute House Bill No. 264 was substituted for House Bill No. 264, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 264 was read the second time.

Mr. Kelley moved adoption of the following amendment by Representatives Kelley and Smythe:

On page 1, line 3 after the enacting clause strike the balance of the bill and insert:

"NEW SECTION. Section 1. There is added to chapter 60.04 RCW a new section to read as follows:

As used in this chapter, the following meanings shall apply:

(1) 'Lender' means any person or entity regularly providing interim or construction financing.

(2) 'Interim or construction financing' means that portion of money secured by mortgage, deed of trust, or other encumbrance to finance construction of improvements on, or development of, real property, but does not include:

(a) Funds to acquire real property;

(b) Funds to pay interest, insurance premiums, lease deposits, taxes, assessments, or prior encumbrances;

(c) Funds to pay loan, commitment, title, legal, closing, recording or appraisal fees;

(d) Funds to pay other customary fees; which pursuant to agreement with the owner or borrower are to be paid by the lender from time to time;

(e) Funds to acquire personal property for which the potential lien claimant may not claim a lien pursuant to chapter 60.04 RCW.

(3) 'Owner' means the record holder of the legal or beneficial title to the real property to be improved or developed.

(4) 'Potential lien claimant' means any person or entity entitled to assert lien rights pursuant to this chapter.

(5) 'Draws' means periodic disbursements of interim or construction financing by a lender.

NEW SECTION. Sec. 2. There is added to chapter 60.04 RCW a new section to read as follows:

Any lender providing interim or construction financing where there is not a payment bond of at least fifty percent of the amount of construction financing shall observe the following procedures:

(1) Draws against construction financing shall be made only after certification of job progress by the general contractor or the owner or his agent in such form as may be prescribed by the lender.

(2) Any potential lien claimant who has not received a payment within twenty days after the date required by his contract or purchase order may thereafter file a notice as provided herein of the sums due and to become due, for which a potential lien claimant may claim a lien under chapter 60.04 RCW.

(3) The notice must be filed in writing with the lender at the office administering the interim or construction financing, with a copy furnished to the owner and appropriate general contractor. The notice shall state in substance and effect that such person, firm or corporation has furnished labor, materials and supplies, or supplied equipment for which right of lien is given by this chapter, with the name of the general contractor, agent or person ordering the same, a common or street address of the real property being improved or developed, or if there be none the legal description of said real property, description of the labor, or material furnished, or equipment leased, the name, business address and telephone number of said lien claimant which notice shall be given by mailing the same by registered or certified mail, return receipt requested.

(4) After the receipt of such notice, the lender



shall withhold from the next and subsequent draws such percentage thereof as is equal to that percentage of completion as certified in subsection (1) of this section, which is attributable to the potential lien claimant as of the date of the certification of job progress for the draw in question less contracted retainage. The percentage of completion attributable to the the lien claimant shall be calculated from said certification of job progress, and shall be reduced to reflect any sums paid to or withheld for the potential lien claimant. Alternatively, the lender may obtain from the general contractor or borrower a payment bond for the benefit of the potential lien claimant in such sum.

(5) Sums so withheld shall not be disbursed by the lender except by the written agreement of the potential lien claimant, owner and general contractor in such form as may be prescribed by the lender, or the order of a court of competent jurisdiction.

(6) In the event a lender fails to abide by the provisions of subsections (4) or (5) of this section, then the mortgage, deed of trust or other encumbrance securing the lender will be subordinated to the lien of the potential lien claimant to the extent of the interim or construction financing wrongfully disbursed, but in no event in an amount greater than the sums ultimately determined to be due the potential lien claimant by a court of competent jurisdiction, or more than the sum stated in the notice, whichever is less.

(7) Any potential lien claimant shall be liable for any loss, cost or expense, including reasonable attorney fees, to the party injured thereby arising out of any unjust, excessive or premature notice of claim.

NEW SECTION. Sec. 3. There is added to chapter 60.04 RCW a new section to read as follows:

Except as provided in RCW 60.04.050 or in this 1973 act any mortgage on deed of trust shall be prior to all liens, mortgages, deeds of trust and other encumbrances which have not been recorded prior to the recording of such mortgage or deed of trust to the extent of all sums secured by such mortgage or deed of trust regardless of when the same are disbursed or whether such disbursements are obligatory.

NEW SECTION. Sec. 4. 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."

Mr. Kelley spoke in favor of the amendment.

Mr. Smythe moved adoption of the following amendment to the amendment by Representatives Kelley and Smythe:

On page 1, section 2, line 34 after "may" insert "within twenty days"

Representatives Smythe and Kelley spoke in favor of the amendment to the amendment.

The amendment to the amendment was adopted.

Mr. Kelley spoke in favor of the amended amendment, and Mr. Julin spoke against it.

Representatives Smythe and Ceccarelli spoke in favor of the amended amendment, and Representative Julin spoke again in opposition to it.

Mr. Leckenby spoke against the amended amendment and Representatives Eikenberry and Pardini spoke in favor of it.

Mr. Charette demanded the previous question and the demand was sustained.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Kelley and Smythe, as amended, to Substitute House Bill No. 264, and the amended amendment was adopted by the following vote: Yeas, 82; nays, 16; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Bausch, Benitz, Berentson, Curtis, Flanagan, Jueling, Julin, Kalich, Leckenby, Lysen, Martinis, Patterson, Polk, Swayze, Tilly.

Substitute House Bill No. 264 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 530, by Representatives Van Dyk, Benitz, Kilbury, Amen and Bauer:

Changing the law regulating commission merchants.

#### MOTION

On motion of Mr. Thompson, consideration of House Bill No. 530 was deferred and the bill was ordered placed on tomorrow's second reading calendar.

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.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments see Journal for fourteenth day, Ex. Sess., March 22, 1973.)

The bill was read the second time.

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

House Bill No. 636 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 636 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 636, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Snythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Hurley.

Engrossed House Bill No. 636, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 895, by Representatives Bender, Clemente, Fortson and North (Frances):

Relating to public health, safety and welfare.

Committee on Education recommendation: Majority, do pass as amended. (For amendment see Journal for fifteenth day, Ex. Sess., March 23, 1973.)

The bill was read the second time.

Mr. Bauer moved adoption of the committee amendment.

Mr. Charnley moved adoption of the following amendment to the committee amendment:

On page 2, section 2, line 1 before the period insert "PROVIDED, That ramps at least 36 inches wide so constructed to allow reasonable access to the sidewalk for physically handicapped persons and bicycles shall be provided where reasonable, but at least at each corner of an intersection"

Mr. Charnley spoke in favor of the amendment to the committee amendment and it was not adopted.

The committee amendment was adopted.

On motion of Mr. Bauer, the committee amendment to the title was adopted.

House Bill No. 895 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 895 was placed on final passage.

Mr. Bender spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Bender yielded to question by Mr. Tilly.

Mr. Tilly: "Mr. Bender, the county engineer in Chelan County had a question on this bill regarding the legislative intent. He was wondering if existing projects that have been approved but have not been contracted, and maybe wouldn't be contracted until after July 1--he was wondering how this bill would affect these particular jobs."

Mr. Bender: "Those jobs that are contracted after July 1 will be affected by this bill. They will come under this bill. Those before will not be affected by the bill."

Mr. Tilly: "So in other words they had better get the contracts out before July 1, 1973?"

Mr. Bender: "Yes, they had better."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 895 and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting Yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson,

Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumpaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Gilleland.

Engrossed House Bill No. 895, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 742, by Representatives Valle, Charnley, Brown, Maxie, King, Blair, North (Lois) and Sommers:

Setting forth rights for part-time faculty instructors of community colleges.

#### MOTION

On motion of Ms. Maxie, Substitute House Bill No. 742 was substituted for House Bill No. 742, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 742 was read the second time.

Mr. Charnley moved adoption of the following amendment by Representatives Charnley and Valle:

On page 7, line 20 strike all of section 13 and renumber the remaining sections consecutively.

Mr. Charnley spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Patterson: "Would Representative Charnley yield to a question?"

Mr. Charnley refused to yield to question.

Mr. Shinpoch yielded to question by Mr. Patterson.

Mr. Patterson: "My concern all along in this particular piece of legislation, which I spent a great deal of time on, was to make sure that the funds that would fund part-time employees to a salary that would be more commensurate with the full-time people at the community colleges--that these dollars would actually be added to the appropriations bill that we will have here, I presume, next week. Is my understanding correct that they are added dollars in this amount--that have actually been added to the community college bill?"

Mr. Shinpoch: "We seem to cover this quite often. I can assure you that my recommendation on the community college budget--that had this part-time not been included in Senate Bill No. 2740--this \$3.4 million would not have been in their budget."

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Charnley and Valle to Substitute House Bill No. 742, and the amendment was adopted by the following vote: Yeas, 57; nays, 41; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

On motion of Mr. Charnley, the following amendment to the title was adopted:

On page 1, line 13 of the title, strike "; and making an appropriation"

Substitute House Bill No. 742 was ordered engrossed.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 742 be placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Substitute House Bill No. 742 to third reading and final passage, and the motion was carried by the following vote: Yeas, 79; nays, 18; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler,

Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Paris, Parker, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Curtis, Flanagan, Freeman, Garrett, Gilleland, Hayner, Juelling, Julin, Kopet, Kuehne, Morrison, Newhouse, Pardini, Patterson, Polk, Schumaker, Smythe, Zimmerman.

Not voting: Representative Berentson.

Mrs. Valle spoke in favor of passage of the bill, and Mr. Benitz spoke against it.

#### POINT OF INQUIRY

Mrs. Valle yielded to question by Mr. Laughlin.

Mr. Laughlin: "Will the appropriation which implements this bill affect full-time faculty salary increases in community colleges which do not hire significant numbers of part-time community college faculty?"

Mrs. Valle: "The answer to your question, Representative Laughlin, is 'no.' The \$3,459,000 is specifically earmarked for salaries for part-time community college teachers only. The community college budget within the higher education budget would have been \$3,459,000 less than the present figure. The fact of the matter is that community colleges are up \$20 million from the last biennium, according to the figures given me by Representative Shinpoch, and this will not affect the full-time community college faculty personnel. In fact, at present, as I have said, it is up. Had we not addressed ourselves to this problem, we would not have had this appropriation. On your desk is information, and you can see the number of people and the percentage of part-time community college teachers that reside and teach in your own community college district."

Mr. Laughlin: "Then, Representative Valle, I assume the moneys would be allocated on the basis of actual teaching contracts awarded."

Mrs. Valle: "That is correct."

#### POINT OF INQUIRY

Mr. Barden: "Would Representative Valle yield to another question please?"

Mrs. Valle refused to yield to question.

Mr. Barden: "Would Representative Laughlin yield to a question?"

Mr. Laughlin refused to yield to question.

Mr. Barden spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 742, and the bill passed the House by the following vote: Yeas, 63; nays, 35; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Parker, Perry, Rabel, Randall, Savage, Shipoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bauer, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hurley, Juelling, Julin, Knowles, Kopet, Kuehne, Matthews, Morrison, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Smythe, Tilly, Zimmerman.

Engrossed Substitute House Bill No. 742, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

In responding to Representative Laughlin's point of inquiry, Representative Valle made some statements to which I would like to add some clarifying remarks.

Mr. Laughlin asked if the \$3,459,000 appropriation for part-time faculty pay increases would affect full-time faculty salary increases in community colleges which do not hire significant numbers of part-time community college faculty. Representative Valle replied that it would not, which is correct. However, in further remarks, Representative Valle indicated that had we not addressed ourselves to the part-time faculty pay raise we would not have had this appropriation. This is not correct.

It was the intent of the House Ways and Means Committee that the funds for providing part-time faculty pay increases be absorbed within the total funding for the community colleges. By deleting the appropriation in ESHB 742 and providing \$3,456,000 in the higher education budget (House amendment to ESSB 2740) the total funds for community colleges were not changed at all. What will occur is that the community college system will have to absorb the higher part-time salaries by reducing programs.

While it will not affect salary increases of full-time community college faculty, because the salary increases are specifically funded by proviso, it will reduce some programs. To the degree that it reduces the instruction program and specifically the faculty staffing



level of the instruction program, it will affect the number of full-time (and part-time) faculty employed.

JERRY C. KOPET, 6th District.

#### MOTION

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

#### THIRD 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 third time and placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 894, and the bill passed the House by the following vote: Yeas, 60; nays, 37; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Cunningham, Curtis, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representative Rabel.

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 SENATE

April 7, 1973

Mr. Speaker:

The Senate 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.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 119,  
HOUSE BILL NO. 300,  
HOUSE BILL NO. 482,  
HOUSE JOINT MEMORIAL NO. 10,  
SENATE BILL NO. 2840.

## MOTIONS

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

On motion of Mr. Charette, the House adjourned until 2:30 p.m., Sunday, April 8, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## THIRTY-FIRST DAY

## AFTERNOON SESSION

House Chamber, Olympia, Wash., Sunday, April 8, 1973.

The House was called to order at 2:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Paris who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend J. Alan Justad of the First United Methodist Church of Olympia.

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

Mr. Charette demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Paris.

On motion of Mr. Thompson, the absent member was excused, and the House proceeded with business under the Call of the House.

## MESSAGE FROM THE SENATE

April 7, 1973

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2840,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

April 6, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 736 with the following amendments:

In line 1 of the title after the semicolon and before "amending" strike "and"

In line 2 of the title after "RCW 84.55.010" and

before the period insert "; and providing an expiration date"

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"

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"

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." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Randall, the House concurred in the Senate amendments to Engrossed House Bill No. 736.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 736 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 736 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Ehlers, Erickson, Wilson.

Not voting: Representative Paris.

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.

MESSAGE FROM THE SENATE

April 7, 1973

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2096 and asks the House to recede therefrom, and said bill, together with the House amendments, is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Bauer, the House refused to recede from its amendments to Engrossed Senate Bill No. 2096 and asked the Senate for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Bauer, Goltz and Tilly as members of the Conference Committee on Engrossed Senate Bill No. 2096.

REPORTS OF STANDING COMMITTEES

April 5, 1973

HOUSE BILL NO. 670, Prime Sponsor: Representative Nelson, pertaining to local sales taxes adopted to finance local public transportation systems, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: That the Committee on Transportation and Utilities amendments be not adopted and the bill do pass with the following amendments:

On page 1, section 1, line 8 after "The" strike all of the material down to and including "county" on line 11 and insert "((governing body upon written request by the mayor or other executive officer of any city within a class AA county, a class AA county or any metropolitan municipal corporation within a class AA county;)) legislative body of any city, county, or metropolitan municipal corporation."

On page 2, section 1, line 5 after "shall" strike "((be)) not exceed" and insert "be"

On page 2, section 1, line 7 after "use tax)" and before the colon, insert "unless the unit of government is not a class AA county or is not located within a class AA county in which case the rate shall be one-tenth of one percent"

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Benitz, Bluechel, Eikenberry, Erickson, Goltz, Julin, Kilbury, Moon, Pardini.

April 7, 1973

HOUSE BILL NO. 704, Prime Sponsor: Representative Bluechel, planning and funding of capitol office facilities, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 7 after "funding" insert ", acquiring of land,"

On page 1, section 1, line 17 after "state" strike "department of general administration" and insert "finance committee"

Beginning on page 3, strike all of section 9 and renumber the remaining sections consecutively

Signed by Representatives Williams, Chairman; Bluechel, Curtis, Ehlers, Gaines, Hendricks, Kopet, Perry, Polk, Thompson.

April 5, 1973

HOUSE BILL NO. 1044, Prime Sponsor: Representative Bluechel, defining "original producer" of nursery stock for taxation purposes, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, beginning on line 2 after "person" strike the comma and all material down to the period on line 5 and insert "which, beginning with seeds, cuttings, bulbs, corms, or any form of immature ornamentals, grows ornamentals in the course of their development into either a marketable partially grown product or a marketable consumer product"

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Benitz, Bluechel, Eikenberry, Goltz, Hurley, Julin, Kilbury, Pardini.

April 6, 1973

HOUSE BILL NO. 1054, Prime Sponsor: Representative Berentson, setting forth state economic impact act seeking to offset economic consequences of closing state institutions and services, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. The purpose of this chapter is to establish an economic impact act for the state of Washington which acknowledges that when either for fiscal reasons, changes in service modes, obsolescence or otherwise, it becomes necessary to close a state facility, the state has a responsibility to provide certain benefits

to affected employees.

This chapter is expressly designed to:

Assist state employees working in a facility who are affected by the state's decision.

NEW SECTION. Sec. 2. (1) Closure of a state facility as intended under this chapter occurs when:

A state building or group of state buildings and the services being provided within these facilities presently operated by the department of social and health services are or in conjunction with the department of natural resources terminated either for fiscal reasons, changes in service modes, obsolescence, or otherwise and where employment in the same or a like job classification and at not less than one step or range lower than the same salary range is not available to affected state employees within reasonable commuting distance as established by the personnel board having jurisdiction;

(2) Services which do not qualify under subsection (1) hereof include, but are not limited to, the following:

(a) State employment related to a single project under a program separately financed by a grant of nonstate funds, federal funds or state funds, or by a combination of such funding, which is designed to provide training or employment opportunities, expertise or additional manpower related to the project or which, because of the nature of the project funding requirements, is not intended as a permanent program.

(b) Activities at least seventy-five percent federally funded by categorical grant for a specific purpose and any other activities terminated because of actions taken by the federal government or other funding sources other than the state of Washington in eliminating or substantially limiting funding sources, except to the extent that the federal government or such other funding sources may permit the use of nonstate funds to pay for any employee benefits authorized pursuant to this chapter.

(3) In addition to the exclusions contained in subsection (2) hereof the following, are also excluded from benefits under this chapter:

(a) Employees refusing transfer to other work of a class and pay as described in subsection (1) of this section within commuting distance of either the former location or the employees' present domicile: PROVIDED, That reasonable commuting distance shall be determined by the personnel board having jurisdiction in cases of dispute.

(b) Classified employees having other than permanent status in the classified service.

(c) Employees having less than three years' unbroken state service as an employee, except that such employees shall nonetheless be eligible for the benefits provided in section 3, subsections (1), (2), (3), (5), and (6) of this 1973 act.

(4) Nothing in this chapter shall affect any other rights currently held by classified employees regarding reduction in force procedures and subsequent reemployment.

NEW SECTION. Sec. 3. In order to carry out the purposes of this chapter, it is the policy of the state that it take reasonable steps to provide alternative employment and to minimize the economic loss of state employees affected by the closure of a state facility. To

accomplish such intent the following actions shall be taken:

(1) The state agency or department operating a facility whose operation is to be terminated shall be required to provide a minimum advance notice of four months to employees of the facility.

(2) Classified employees under the jurisdiction of the state personnel board coming under the provisions of this chapter shall have transfer rights to vacancies existing at institutions of higher education prior to such vacancies being filled from open competitive registers, and the higher education personnel board shall cooperate with the state department of personnel to insure that these rights are made available.

(3) Relocation expenses covering the movement of household goods, incurred by the necessity of an employee moving his domicile to be within reasonable commuting distance of a new job site, shall be paid by the state to employees transferring to other state employment by reason of the closure of a facility and such employee shall be allowed up to five working days' leave with pay for the purpose of locating new residence in the area of employment.

(4) The state shall reimburse the transferring employee to the extent of any financial loss up to a maximum of three thousand dollars suffered by an employee who sells his home at a price less than the average of two licensed appraisers' estimates of its value, such appraised price to be established within sixty days of the time transfer of employment is accepted. The state of Washington shall assume the total cost incurred in making the appraisals.

The costs of selling an employee's house shall include any real estate fees, title insurance, and transfer and recording fees: PROVIDED, That such costs are not included in the average of two licensed appraisers' estimates of value established as provided herein.

This right of reimbursement must be exercised, and sale of the property must be accomplished, within a period of two years from the date other state employment is accepted.

(5) For employees in facilities which have been terminated who do not choose to participate in the transfer program set forth in the preceding subsections, the following terminal pay plan shall be available:

(a) For qualifying employees, for each one year of unbroken state service, one week of regular compensation shall be provided.

(b) Regular compensation as used in subsection (a) hereof shall include salary compensation at the hourly or monthly rate being paid to the employees at the time operation of the facility or service is terminated.

Terminal pay as set forth in subsections (a) and (b) hereof shall be paid to the employee at the termination of the employee's last month of employment: PROVIDED, That when such employee receives other state employment, he shall reimburse the state for any terminal pay in excess of wages lost during his term of unemployment.

(6) As an option to transferring to other state employment an employee may select early retirement under



the following conditions: PROVIDED, That such selection shall be consummated within thirty days of termination:

(a) For employees who have completed twenty years of membership service and are employed in the facility to be terminated and have reached age fifty but less than age fifty-five at the date the facility is to be terminated, the state shall provide to those employees who so elect to retire the same monthly retirement benefits the employee would have received if the employee had continued to work for the state at the same average final compensation until the employee retired at age fifty-five with twenty-five years of service.

(b) For employees who have completed at least twenty years of membership service and have reached age fifty-five but less than age sixty at the date the facility is terminated, the state shall provide to those employees who so elect to retire the same monthly retirement the employee would have received if the employee had continued to work for the state at the same average final compensation until he had earned twenty-five years membership service credit.

(c) For employees who have reached age sixty at the date the facility is terminated, the state shall provide to those employees who elect to retire: (i) With less than five years of service, up to five years of membership credit; (ii) with less than twenty years of service, one year for each year the employee is under age sixty-five shall be added to his membership credit; (iii) with twenty years or more of service, one year for each year the employee is under age sixty-five shall be added to his membership credit, but not to exceed a maximum of twenty-five years total membership credit.

(d) An employee, at any age, who has twenty-five or more years membership credit at the time the facility is terminated and who discontinues his state service, shall have added to his membership credit the years necessary to reach a maximum of thirty years of membership service: PROVIDED, That if the employee has reached age sixty, the additional years will be limited to the difference between age sixty-five and the employee's current age.

Additional years of membership service provided in this subsection shall be considered complete creditable service for qualifying for military service credit as set forth in the public employees' retirement system.

For employees who elect to retire under this subsection, the state shall contribute to the appropriate retirement fund, from funds appropriated in section 5 of this 1973 act, contributions equivalent to those which the employees and the employer would have contributed had the employee remained in state service and elected to retire under the selected early retirement option.

NEW SECTION. Sec. 4. For the purposes of sections 1 through 4 of this 1973 act, unless the context shall clearly indicate otherwise:

"Classified employees" means those employees under classified service as defined in RCW 41.06.020 (3).

NEW SECTION. Sec. 5. There is hereby appropriated from the state general fund for the biennium ending June 30, 1975, to the following state agencies the following appropriations to carry out the purposes of sections 1 through 4 of this 1973 act:

To the state department of personnel to carry out the purposes of section 3 of this 1973 act, two million one hundred thousand dollars, or so much thereof as may be necessary.

NEW SECTION. Sec. 6. Sections 1 through 4 of this 1973 act shall be added to Title 43 RCW as a new chapter thereof.

NEW SECTION. Sec. 7. 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. 8. 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."

Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Bausch, Brown, Curtis, Ehlers, Gaspard, Hansey, Hoggins, Kopet, Smith, Valle, Van Dyk, Warnke.

April 5, 1973

HOUSE BILL NO. 1104, Prime Sponsor: Representative Maxie, amending the definition of retail sale, excluding hospital laundry services, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Benitz, Bluechel, Eikenberry, Goltz, Hurley, Julin, Newhouse, Pardini.

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

April 7, 1973

SENATE BILL NO. 2143, Prime Sponsor: Senator Atwood, 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.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, beginning on line 16 after "than" strike all material down to and including "elected" on line 18 and insert "fifteen per cent of the total number of names of persons listed as registered voters within the county on the day of the last preceding general election occurring in an even-numbered year"

On page 2, section 4, line 24 after "Within" strike "fifteen" and insert "thirty"

On page 2, section 4, line 30 after "necessary." insert "The county auditor or superintendent of elections may use statistical sampling techniques for this canvass as

are provided under RCW 29.79.200, subject to the approval of the Secretary of State."

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Conner, Eng, Erickson, Knowles, Maxie.

April 4, 1973

ENGROSSED SENATE BILL NO. 2220, Prime Sponsor: Senator Atwood, providing for changes in the billing procedures of the director of general administration, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Ehlers, Gaines, Kopet, Lysen, Moon, Perry, Thompson.

April 6, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2336, Prime sponsor of original bill: Senator Francis, providing procedures for civil commitment, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass as amended by Committee on Judiciary. (For amendments see Journal for twenty-first day, Ex. Sess., May 29, 1973.)

Signed by Representatives North (Frances), Vice Chairwoman; Bagnariol, Bausch, Blair, Brown, Curtis, Ehlers, Gaspard, Hansey, Hoggins, Kopet, Smith, Valle, Van Dyk, Wanke.

April 7, 1973

SENATE BILL NO. 2353, Prime Sponsor: Senator Grant, changing the format of ballot titles and petitions, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass 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"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Conner, Eng, Erickson, Knowles, Maxie.

April 7, 1973

ENGROSSED SENATE BILL NO. 2377, Prime Sponsor: Senator Grant, 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, beginning on line 10 of the engrossed and printed bill, strike all of section 1, including the Senate amendment to page 1, and renumber the remaining sections consecutively

On page 1, beginning on line 1 of the title after "elections;" strike all of the material down to and including "29.68.070;" on line 2

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Conner, Eng, Erickson, Knowles, Maxie.

April 7, 1973

SENATE BILL NO. 2388, Prime Sponsor: Senator Walgren, requiring annexation resolutions and petitions to be acted upon within one year, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 23 after "then such" insert "petition or"

On page 2, section 2, line 14 after "then such" insert "petition or"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Blair, Laughlin, Nelson, North (Frances), North (Lois), Patterson, Smythe, Sommers, Zimmerman.

April 7, 1973

ENGROSSED SENATE BILL NO. 2421, Prime Sponsor: Senator Ridder, 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 amendments:

On page 2, section 2, beginning on line 16 of the engrossed bill, strike all of subsection (g) down to and including "amended." on line 21, being lines 12 through 14 of the printed bill and the material added by Senator Marsh's amendment

On page 2, section 2, line 23 of the engrossed bill, being line 3 of the underlined material in the amendment by Senator Ridder, after "official" insert "before or with or along with or"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Conner, Eng, Erickson, Knowles, Maxie.

April 7, 1973

ENGROSSED SENATE BILL NO. 2425, Prime Sponsor: Senator Odegaard, implementing the law relating to write-in voting at primaries and general elections, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendment:

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"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Conner, Eng, Erickson, Knowles, Maxie.

April 6, 1973

ENGROSSED SENATE BILL NO. 2435, Prime Sponsor: Senator Day, implementing the uniform alcoholism and intoxication treatment act, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shipoch, Chairman; North (Frances), Vice Chairwoman; Bausch, Blair, Brown, Curtis, Ehlers, Gaspard, Hansey, Smith, Valle, Warnke.

April 6, 1973

ENGROSSED SENATE BILL NO. 2438, Prime Sponsor: Senator Donohue, allowing money from liquor revolving fund to universities to be used for alcoholism and drug addiction research, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shipoch, Chairman; Bagnariol, Bausch, Blair, Brown, Charette, Curtis, Gaspard, Hansey, Hoggins, Kopet, Luders, Valle, Van Dyk.

April 4, 1973

SENATE BILL NO. 2475, Prime Sponsor: Senator Bottiger, 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 Representatives Williams, Chairman; Bender, Vice Chairman; Ehlers, Gaines, Hendricks, Hurley, Kopet, Lysen, Moon, Thompson.

April 6, 1973

ENGROSSED SENATE BILL NO. 2496, Prime Sponsor: Senator Durkan, granting victims of crime compensation under certain conditions, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass as amended by Committee on Social and Health Services. (See Journal for twenty-fifth day, Ex. Sess., April 2, 1973.)

Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Blair, Brown, Curtis, Ehlers, Gaspard, Hansey, Hoggins, Kopet, Smith, Valle, Van Dyk, Warnke.

April 7, 1973

SENATE BILL NO. 2497, Prime Sponsor: Senator Bottiger, allowing accrual of vacation leave until December 31st of each year, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Ehlers, Gaines, Hendricks, Kopet, Lysen, Moon, Thompson.

April 7, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2554, Prime sponsor of original bill: Senator Murray, providing for prevention of cruelty to animals, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Blair, Laughlin, Nelson, North (Frances), North (Lois), Paris, Patterson, Sommers.

April 7, 1973

ENGROSSED SENATE BILL NO. 2584, Prime Sponsor: Senator Odegaard, 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 amendment:

In section 1, line 14 of the engrossed bill, after "commissioners" correct the spelling of "declare"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Blair, Laughlin, North (Frances), North (Lois), Paris, Patterson, Sommers, Zimmerman.

April 7, 1973

SENATE BILL NO. 2672, Prime Sponsor: Senator Durkan, establishing a federal revenue sharing trust fund, reported by Committee on State Government.

MAJORITY recommendation: Do pass 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"

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Ehlers, Gaines, Hendricks, Kopet, Lysen, Moon, Perry, Thompson.

April 7, 1973

ENGROSSED SENATE BILL NO. 2716, Prime Sponsor: Senator Bottiger, establishing a collective bargaining unit comprised of exempt employees who are liquor vendors, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Ehlers, Gaines, Lysen, Moon, Perry, Thompson.

April 7, 1973

ENGROSSED SENATE BILL NO. 2835, Prime Sponsor: Senator Rasmussen, 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 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

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Blair, Laughlin, Nelson, North (Frances), North (Lois), Paris, Patterson, Sommers, Zimmerman.

#### MOTION

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to the Committee on Rules for second reading with the exception of ENGROSSED SENATE BILL NO. 2490 to be rereferred to the Committee on Ways and Means - Appropriations.

The motion was carried.

MOTION

On motion of Mr. Charette, Engrossed Senate Joint Resolution No. 109 was placed at the top of today's second reading calendar.

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

The Speaker called the House to order.

SECOND READING

ENGROSSED SENATE JOINT RESOLUTION NO. 109, by Senators Grant, Ridder, Mardesich, Bailey, Waigren, Bottiger and Jolly:

Amending Constitution to authorize revision in tax structure.

The resolution was read the second time.

Mr. Swayze moved adoption of the following amendment:

On page 1, line 12 after "corporations" insert a period and strike the remainder of the sentence.

Mr. Swayze spoke in favor of the amendment, and Mr. Randall spoke against it.

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

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Swayze to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 41; nays, 56; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Juelsing, Julin, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charney, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.



The Clerk read the following amendment by Mr. Amen:

On page 2, section (3)(a), line 23 after "legislature" insert ": PROVIDED, However, a special levy may be imposed by a school district upon income for the support of programs not included by the Legislature in its definition of a basic program of education pursuant to this subsection: PROVIDED FURTHER, That the amount of any such levy payable in any tax year shall not exceed ten percent of the operating budget of such district for the last budget year completed prior to such tax year, such operating budget to be determined for purposes of this section by excluding therefrom the revenues derived from any such levy: PROVIDED FURTHER, That the levy thereof shall be specifically authorized by a majority of at least three-fifths of the electors voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting 'yes' on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such taxing district at the last preceding general election when the number of electors does not exceed forty per centum of the total votes cast in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition to levy when the number of electors voting on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election"

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

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan, Julin and Zimmerman: On page 2, after line 18, add the following:

"(e) The rates contained in the initial net income tax act adopted by the legislature, and the rates contained in any subsequent act which changes those rates shall not be changed within the maximum limitations contained in subsection (2)(a), unless the lowest individual rate, the highest individual rate, and the corporate rate are changed in such a manner that the ratio of change in each such rate is the same and the change in each such rate is in direct proportion to each other change: PROVIDED, HOWEVER, That rates which, as changed hereunder, contain two or more decimal places may be rounded to the nearest single decimal place."

Mr. Flanagan spoke in favor of adoption of the amendment, and Mr. Moon spoke against it.

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

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Flanagan, Julin and Zimmerman to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 40; nays, 57; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.

Mr. Hansey moved adoption of the following amendment:

On page 2, line 18, after "is" strike all material down to and including "petition" on line 18 and insert "referred to the people and approved by a majority vote thereon at a general election"

Representatives Hansey and Swayze spoke in favor of the amendment, and Mr. Randall spoke against it.

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

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Hansey to Engrossed Senate Joint Resolution No. 109 and the amendment was lost by the following vote: Yeas, 40; nays, 57; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Juelling, Julin, Kelley, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith,

Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.

#### MOTION

Mr. Bagnariol moved that the rules be suspended to allow an automatic electric roll call on all further amendments on Engrossed Senate Joint Resolution No. 109.

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

Mr. Julin moved adoption of the following amendment:

On page 1, line 8, after "(1)" strike all material down to and including "property" on line 10 and insert "Notwithstanding any other provision of this Constitution, the legislature shall have the power to impose a tax upon or measured by net income, at graduated or nongraduated rates. The rates of tax applied to the income of corporations may be different than the rates applied to other taxpayers"

Representatives Julin and Smythe spoke in favor of the amendment, and Representative Moon spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Julin to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 42; nays, 55; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.

Mr. Brown moved adoption of the following amendment:

On page 2, line 29 after "five" strike all material down to and including "election" on page 3, line 1 and insert "percent: PROVIDED, HOWEVER, That this aggregate rate limitation shall not prohibit the legislature from authorizing counties, cities, towns, and metropolitan municipal corporations to impose, subject to approval of

the voters therein, a retail sales or use tax at an aggregate rate not to exceed an additional three-tenths of one percent."

Mr. Brown spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Brown to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 36; nays, 61; not voting, 1.

Voting yeas: Representatives Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nays: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.

Mr. Brown moved adoption of the following amendment: On page 3, line 10 after "31," strike "1984" and insert "1979"

Mr. Brown spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Brown to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 42; nays, 55; not voting, 1.

Voting yeas: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kelley, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nays: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien,

Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.

Mr. Freeman moved adoption of the following amendment:

On page 2, line 23 after "legislature" and before the period 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"

Mr. Freeman spoke in favor of the amendment, and Mr. Randall spoke against it.

#### POINT OF INQUIRY

Mr. Freeman yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Freeman, you mentioned you have done your homework in this area. While I don't represent the Seattle area, I am interested because that is the largest school district in the state. According to your computations on this amendment, if we did not guarantee them that they would not get less money than what they had before, what would the loss be per pupil to the Seattle School District?"

Mr. Freeman: "The figures that I have for 1973, that I got from the office of the Superintendent of Public Instruction, the school levy in Seattle is presently raising \$528 per student. This would be compared with a statewide average, if this levy relief money would be applied on an average-equal basis, the \$528 could be reduced down to \$277. That would be a statewide average if we applied this money equally throughout the state. Seattle has another school district called South Central. It raises \$729 via the special levy right now. That would be a very dramatic decrease for that district in Seattle."

Representatives Bagnariol and Douthwaite spoke against adoption of the amendment by Mr. Freeman, and Representative Julin spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Freeman to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 35; nays, 62; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Rabel, Schumaker, Smythe, Swayze, Tilly, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli,

Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.

Mr. Julin moved adoption of the following amendment by Representatives Julin, Flanagan, Curtis and Smythe:

On page 4, line 13 after "state" insert ": PROVIDED, HOWEVER, That this notice shall be caused to be published and the constitutional amendment submitted to a vote of the people only if the legislature has adopted, by two-thirds vote of each house, an act to implement the terms of this amendment: PROVIDED FURTHER, That any notice published by the Secretary of State shall contain the full text of any such implementing act and the text of said act shall be printed in the Voter's Pamphlet immediately following the text of the amendment"

Representatives Julin, Amen and Smythe spoke in favor of adoption of the amendment, and Representatives Bagnariol and King spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Julin, Flanagan, Curtis and Smythe to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 38; nays, 59; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Dauer, Bausch, Beck, Bender, Berentson, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.

Mr. Tilly moved adoption of the following amendments:

On page 2, line 8 after "by" delete "a majority of" and insert "at least two-thirds"

On page 2, line 17 after "by" delete "a majority of" and insert "at least two-thirds"

Representatives Tilly and Hansey spoke in favor of adoption of the amendments, and Representative Ceccarelli spoke against their adoption.

## ROLL CALL

The Clerk called the roll on the adoption of the amendments by Mr. Tilly to Engrossed Senate Joint Resolution No. 109, and the amendments were lost by the following vote: Yeas, 36; nays, 61; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Jueling, Julin, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.

Mr. Kuehnle moved adoption of the following amendment:

On page 3, section (d), line 3 after "against" strike the remainder of subsection (d) and insert "the gross receipts of individuals or corporations which individuals or corporations are subject to the payment of a net income tax."

Representatives Kuehnle, Pardini and Newhouse spoke in favor of adoption of the amendment, and Representative Moon spoke against it.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 43; nays, 54; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Eng, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Jueling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Jastad, Johnson, Kalich,

Kelley, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.  
Not voting: Representative Paris.

Mr. Julin moved adoption of the following amendment by Representatives Julin and Pardini:

On page 3, after line 5, insert the following:

"(e) No insurance premium tax shall be levied by the state at a rate greater than two percent of gross premiums, except that this limit shall not affect a greater rate of tax collected by the state of Washington as a result of the insurance retaliatory laws of this state."

Renumber the remaining subsections consecutively.

Mr. Julin spoke in favor of the amendment, and Mr. Moon spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Julin and Pardini to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 39; nays, 58; not voting, 1.

Voting yea: Representatives Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Jueling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.

Mr. Freeman moved adoption of the following amendment:

On page 3, line 7 after "tax" and before "upon" insert "in excess of an amount equal to ten percent of its total maintenance and operation budget"

Mr. Freeman spoke in favor of the amendment, and Mr. Luders spoke against it.

#### POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Barden.

Mr. Barden: "Representative Luders, according to the latest publication of the Washington State Research Council, the Seattle School District is spending \$1,031 per



student this year. The Mead School District in Spokane County is spending \$591 per student. Now a great deal of the money raised in Seattle is funded by special levy. If this amendment fails, and if no special levies are allowed for special programs or desire for greater excellence in education, can you approximate for me how the per pupil expenditures in the Mead School District, in your part of the state, and the Seattle School District in my part of the state would be impacted by this proposal, without this amendment?"

Mr. Luders: "Since I do not represent either of these two areas, I can do it objectively. I think, in answer to what you say, the partial answer would be that Seattle almost didn't pass its levy. And if they hadn't passed their levy, what would have occurred--or Mead which did not pass its levy for three terms or three elections in a row--what would happen is there would be a drastic curtailment. What I seem to sense throughout the state is that people don't want special levies any longer. And to say that because one district currently is managing to eke out, after two elections in Seattle for example--is managing to eke out a little bit of additional money (or roughly in the Seattle area almost a fourth of the budget) is no guarantee that next time they will pass it. What I would hope would occur, and I believe that sooner or later our Supreme Court will have to address itself to the fact, is that equal education means equal education. And it does not mean disparities via the special levy route. So what I feel will happen, Representative Barden, is that sooner or later these districts that have the high millage, with very few exceptions, will find themselves unable to pass those millages and then education in those districts will be worse off than they would be under a full-state funding."

Representatives Barden, Amen and Polk spoke in favor of adoption of the amendment by Mr. Freeman, and Representative Randall spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Freeman to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 38; nays, 59; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Douthwaite, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kelley, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson,

Kalich, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Newhouse, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wjahn, and Mr. Speaker.

Not voting: Representative Paris.

The Speaker called on Mr. O'Brien to preside.

Mr. Smythe moved adoption of the following amendment:

On page 4, line 13 after "state" insert " : PROVIDED, HOWEVER, That this notice shall be caused to be published and the constitutional amendment submitted to a vote of the people only if the legislature has adopted, by majority of each house, an act to implement this amendment"

Representatives Smythe, Curtis and Kuehnle spoke in favor of adoption of the amendment, and Representative Bagnariol spoke against it.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Kelley.

Mr. Kelley: "Representative Bagnariol, I have some question with this, and this regards timing, and in what time a constitutional amendment is certified for a vote of the people. Does that have to take place in July, or can it take place after September--the point being, would we have to have this statutory amendment prepared in this session, or would we be able to do this in the September session?"

Mr. Bagnariol: "To my knowledge, Representative Kelley, the September session would be too late. We would have to get it done during this session, and by getting it done during this session we would have to have it done by the 14th, because that is hopefully when we are going to get out of here. The only statute really we have been looking at is the 83-page document that came over from the Senate. I am not sure this body has the time to digest that document in the next few days."

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Smythe to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 41; nays, 56; not voting, 1.

Voting yeas: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson,

Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.

Mr. Eikenberry moved adoption of the following amendment by Representatives Eikenberry and Cunningham:

On page 3, section 3, line 19 insert the following:

"(h) During the time a state income tax is in effect, the total taxes levied and collected by the state during a fiscal biennium shall not exceed eight percent of total state personal income for the same period. If, as a result of federal or state legislation, the state performs and assumes the cost of a program or function formerly financed by another level of government, or if a program or function or increased level of service is required of local government by the state, the calculation of total taxes shall be increased or decreased, as the case may be, by the cost attributable to such transferred program or function, or increased level of service. For the purposes of this section 'total taxes' shall mean all compulsory contributions exacted by the state, but excluding any unit of local government or other political subdivision of the state, for public purposes (other than employee and employer assessments and contributions to finance retirement and social insurance systems, and other than special assessments for capital outlay).

The legislature shall provide for the establishment of the economic estimates commission, to consist of three members, one appointed by the governor, one appointed by the legislature, and one appointed by the state auditor, to serve at the pleasure of each respective appointing authority. The commission shall estimate and project 'state personal income' and 'total taxes' as may be necessary to determine the above prescribed tax limitation, and shall revise, adopt, and publish on the first day of each March and September of each year an official estimate of projected tax revenues and state personal income for that fiscal biennium, and shall establish the state tax revenue limitation accordingly."

Mr. Eikenberry spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Eikenberry and Cunningham to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 38; nays, 59; not voting, 1.

Voting yea: Representatives Amen, Barden, Bausch,

Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kelley, Kopet, Kuehnle, Leckenby, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Paris.

Mr. Kuehnle moved adoption of the following amendment:

On page 3, subsection (g), line 12 following "(g)" strike the remainder of the subsection and insert "Increases in the value of property which occurred prior to the effective date hereof shall not be subject to taxation hereunder."

Mr. Kuehnle spoke in favor of the amendment, and Mr. Randall spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 39; nays, 58; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.

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

On page 1 strike everything after line 2 and insert the following:

"THAT, At the general election to be held in this

state in November, 1973, there shall be submitted to the qualified voters of this state a proposition to remove the limitation against enactment of a state net income tax and two alternative measures as to the state net income tax together with revisions which may be imposed if a majority of the qualified voters voting on the proposition vote for removing such limitation.

The secretary of state shall cause the proposition to be prepared and placed upon the November, 1973 general election ballot as follows:

'Shall the Constitution be amended in accordance with Alternative 'A' or Alternative 'B' to remove the limitation against enactment of a state net income tax?.....YES

NO

VOTE FOR ONE

'Do you approve and ratify the amendment to the Constitution set forth in Alternative A?.....

'Do you approve and ratify the amendment to the Constitution set forth below in Alternative B?

Alternative 'A' reads as follows:

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 not subject to repeal pursuant to the provisions of section 1, subsection (a) of Article II of the Constitution.

(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 are referred to the people and approved by a majority vote thereon at a general election.

(c) 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.

(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.

(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 are 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.

(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.

Alternative 'B' reads as follows:

Article VII, section 14. Notwithstanding any other provision of this Constitution, the legislature shall have the power to impose a tax upon or measured by net income, at graduated rates. The rates of tax applied to the income of corporations may be different than the rates applied to other taxpayers.

(1) Any such tax shall be subject to the following limitations:

(a) The rates of any net income tax imposed by the state upon taxpayers other than corporations shall be graduated and the highest rate shall not be more than four percent, and

(b) The rates of any net income tax imposed by the state upon corporations shall be graduated and shall be at rates of not less than three percent and not more than six percent.

(c) The rate schedule for a net income tax imposed upon taxpayers other than corporations and corporations shall contain not less than four different rates, the difference between which shall be equal and shall be not less than one percent.

(2) During the time a state net income tax is in effect, commencing with the first calendar year following the effective date of the enactment of a state net income tax and in subsequent years, no excess levy property taxes shall be imposed by or for any school district, except for capital purposes.

(3) In the case of property defined as a capital asset in section 1221 of the Internal Revenue Code 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.

(4) Notwithstanding any other provision of this Constitution, the legislature shall have the power 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) As used in this section, "net income" as applied to individuals means federal taxable income as determined pursuant to the United States Internal Revenue Code less any exclusion allowed by subsection (3) of this section.

If a majority of the qualified voters voting on the proposition vote for removing the limitation against enactment of a state net income tax, the Alternative measure receiving the greatest number of 'yes' votes shall be deemed approved and ratified as an amendment to the state Constitution.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

Representatives Bluechel, Zimmerman, Leckenby and Matthews spoke in favor of adoption of the amendment, and Representatives Bagnariol, Douthwaite and Williams spoke against it.

Mr. Bluechel closed debate, speaking again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Bluechel and Matthews to Engrossed Senate Joint Resolution No. 109, and the amendment was lost by the following vote: Yeas, 28; nays, 69; not voting, 1.

Voting yea: Representatives Barden, Benitz, Berentson, Bluechel, Brown, Charnley, Cunningham, Curtis, Eikenberry, Hansey, Hayner, Hendricks, Hoggins, Julin, Kopet, Leckenby, Matthews, Morrison, Nelson, North L., Pardini, Patterson, Polk, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Newhouse, North F., O'Brien, Parker, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.

The Clerk read the following amendment by Representatives Julin and Curtis to Engrossed Senate Joint Resolution No. 109:

On page 3, after line 5, insert the following:

"(e) The state shall not impose any public utility tax on any individual or corporation subject to such tax as of January 1, 1973 by session law sections 82.16.010 through 82.16.080, chapter 15, Laws of 1961, as amended and also subject to a net income tax on the income derived from the public utility business at a rate greater than three and six-tenths percent."

Renumber the remaining subsections consecutively.

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

#### MOTION

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

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



## ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Joint Resolution No. 109 to third reading and final passage, and the motion was carried by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wjahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Paris.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Senate Joint Resolution No. 109.

Mr. Charette demanded an oral roll call, and the demand was sustained.

Representative Bagnariol spoke in favor of the resolution, and Representatives Swayze and Hurley spoke against it.

The Speaker resumed the Chair.

Representatives Charette, Brown, King, Lysen and Kraabel spoke in favor of passage of the resolution, and Representatives Smythe and Barden spoke against it.

## POINT OF INQUIRY

Mr. King yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. King, you have suggested that we pass this bill and pass an implementing statute when we come back in September because of a lack of time. Representative Swayze offered an amendment which provides that any changes in rates would go to the voters, because we have serious concern about this. Representative Kuehnle offered an amendment, and you expressed a concern about the shift of the tax bite from corporations to individuals. He thought that it was much more significant than the eleven million dollars that you made reference to. Representative Freeman offered an amendment, for which you also had concern, and that is the total elimination of special levies. On these three points, if we were to pass this constitutional amendment, and we would find out between now and September that the voters really did want to have the

measure referred back to them, that there was a difficulty with the B & O tax, would we be able to change the constitutional amendment?"

Mr. King: "Well, we wouldn't be able to change the constitutional amendment itself, but none of those problems that you mention are tied into the Constitution, at least insofar as our analysis showed us. We are aware of the problems, but they can all be solved in terms of an implementing statute. They are tough ones--we will admit that."

Representatives Pardini and Cunningham spoke against passage of the resolution, and Representative Fortson spoke in favor of it.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Joint Resolution No. 109, and the resolution failed to pass the House by the following vote: Yeas, 62; nays, 35; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Jastad, Johnson, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, Moon, North F., North L., O'Brien, Parker, Perry, Rabel, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hurley, Juelling, Julin, Kalich, Kelley, Kopet, Kuehnle, Leckenby, Matthews, May, McCormick, Morrison, Nelson, Newhouse, Pardini, Patterson, Polk, Pullen, Schumaker, Swayze.

Not voting: Representative Paris.

Engrossed Senate Joint Resolution No. 109, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Mr. Swayze served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Engrossed Senate Joint Resolution No. 109 failed to pass the House.

#### MOTION

Mr. Cunningham moved that the Committee on Ways and Means - Revenue be relieved of ENGROSSED SUBSTITUTE SENATE

BILL NO. 2247, and that it be placed for consideration at the top of tomorrow's second reading calendar.

QUESTION OF CONSIDERATION

Mr. Charette raised the question of consideration on the motion by Mr. Cunningham.

MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Monday, April 9, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## THIRTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 9, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Lysen who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Michael O'Brien of St. Ann's Catholic Church of Tacoma.

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

## MESSAGES FROM THE SENATE

April 7, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2099,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2266,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2531,  
   SENATE BILL NO. 2570,  
 ENGROSSED SENATE BILL NO. 2657,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 8, 1973

Mr. Speaker:

The Senate has passed:

  SENATE BILL NO. 2352,  
 ENGROSSED SENATE BILL NO. 2410,  
 ENGROSSED SENATE BILL NO. 2572,  
   SENATE BILL NO. 2590,  
   SENATE BILL NO. 2602,  
   SENATE BILL NO. 2627,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2748,  
 SUBSTITUTE SENATE BILL NO. 2787,  
   SENATE BILL NO. 2805,

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 129,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 8, 1973

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 36,  
 HOUSE BILL NO. 69,

ENGROSSED HOUSE BILL NO. 112,  
 ENGROSSED HOUSE BILL NO. 124,  
 ENGROSSED HOUSE BILL NO. 234,  
 HOUSE BILL NO. 389,  
 SUBSTITUTE HOUSE BILL NO. 391,  
 ENGROSSED HOUSE BILL NO. 423,  
 HOUSE BILL NO. 438,  
 ENGROSSED HOUSE BILL NO. 463,  
 HOUSE BILL NO. 481,  
 HOUSE BILL NO. 492,  
 HOUSE BILL NO. 628,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 8, 1973

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2278,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 8, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 119,

HOUSE BILL NO. 300,

HOUSE BILL NO. 482,

HOUSE JOINT MEMORIAL NO. 10,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker signed:

HOUSE BILL No. 736,

SENATE BILL NO. 2278.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1114, by Representatives Kopet, Shinpoch, Curtis and Thompson:

AN ACT Relating to teachers' retirement; adding a new section to chapter 41.32 RCW; and declaring an emergency.

To Committee on Education.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2099, by Committee on Ways and Means (Originally sponsored 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 and election prior to imposing a service charge for support of a fire district; requiring public

hearings; establishing an administrative review procedure; adding a new chapter to Title 52 RCW; and providing an effective date.

To Committee on Local Government.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2266, by Committee on Ways and Means (Originally sponsored by Senators Durkan, Ridder and Peterson [Ted] - by Public Employees' Retirement System 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; 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; amending section 4, chapter 257, Laws of 1971 ex. sess. as amended by section 2, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.046; amending section 5, chapter 91, Laws of 1947 as last amended by section 1, chapter 42, Laws of 1967 and RCW 41.16.050; amending section 46.68.050, chapter 12, Laws of 1961 as last amended by section 23, chapter 199, Laws of 1969 ex. sess. and RCW 46.68.050; adding new sections to chapter 41.26 RCW; declaring an emergency; and making an effective date.

To Committee on Ways and Means - Appropriations.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2531, by Committee on Ecology (Originally sponsored by Senator Twigg):

AN ACT Relating to environmental policy; adding new sections to chapter 109, Laws of 1971 ex. sess. and to chapter 43.21C RCW; declaring an emergency; and providing an effective date.

To Committee on Ecology.

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.

To Committee on Ways and Means - Appropriations.

ENGROSSED 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; and declaring an emergency.

To Committee on Ecology.

#### MOTION

Mr. Thompson moved that the bills printed on today's agenda be considered first reading under the fourth order of business and be referred to the committees so designated, with the exception of ENGROSSED SUBSTITUTE SENATE BILL NO. 2099 to be referred to the Committee on Ways and Means - Revenue rather than the Committee on Local Government.

The motion was carried.

#### REPORTS OF STANDING COMMITTEES

April 7, 1973

HOUSE BILL NO. 830, Prime Sponsor: Representative Hansey, clarifying the laws relating to aircraft hazards, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 5, section 4, beginning on line 6 after "obstructions" strike the remainder of the section and insert "may be subject to a penalty of not more than one thousand dollars, and the commission may cause to be brought an action enjoining such failure to comply with such order."

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Nelson, Patterson, Schumaker, Swayze.

April 7, 1973

HOUSE CONCURRENT RESOLUTION NO. 45, Prime Sponsor: Representative Lysen, directing a study of land acquisition by airports, if such land is adversely affected by airport noise, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11, strike "AAA and Class AA" and insert "AA and Class A"

On page 1, line 21, strike "Class AAA or Class AA" and insert "Class AA or Class A"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Ceccarelli, Clemente, Douthwaite, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Patterson.

April 7, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2250, Prime sponsor of original bill: Senator Henry, implementing the laws relating to motor vehicle size, weight and load, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass 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"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; McCormick, Subcommittee Chairwoman;



Amen, Bender, Berentson, Ceccarelli, Clemente, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kalich, Laughlin, Leckenby, Lysen, Nelson, Patterson, Pullen, Schumaker, Swayze.

April 7, 1973

SENATE BILL NO. 2522, Prime Sponsor: Senator Henry, amending provisions regarding state highway routes, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 11, beginning on line 24 strike the balance of the bill 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 453 in the vicinity south of Twisp; also

From that junction with state route number 453 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) Anacortes, thence easterly and northeasterly by way of 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 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 Mount Vernon.

NEW SECTION. Sec. 16. There is added 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. 17. There is added 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. 18. 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 108, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.535;

(3) Section 47.56.370, chapter 13, Laws of 1961 and RCW 47.56.370;

(4) Section 10, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.371; and

(5) Section 11, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.372.

On page 1, line 12 of the title, after "RCW 47.04.100;" insert "amending section 17, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.080; amending section 27, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.130; amending section 155, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.770;"

On page 1, line 14 of the title after "repealing" insert "section 26, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.125; repealing section 108, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.535; repealing"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gallagher, Gilleland, Kalich, Kraabel, Laughlin, Leckenby, Patterson, Swayze.

April 7, 1973

ENGROSSED SENATE BILL NO. 2621, Prime Sponsor: Senator Guess, implementing the laws relating to snowmobiles, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Bender, Berentson, Ceccarelli, Clemente, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kalich, Laughlin, Leckenby, Lysen, Nelson, Patterson, Swayze.

April 7, 1973

SUBSTITUTE SENATE BILL NO. 2741, Prime Sponsor of original bill: Senator Guess, relating to the regulation of vehicle dealers, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Bender, Berentson, Ceccarelli, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kalich, Laughlin, Leckenby, Lysen, Patterson, Swayze.

April 7, 1973

SENATE JOINT MEMORIAL NO. 106, Prime Sponsor: Senator Donohue, 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 Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gallagher, Garrett, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Nelson, Patterson, Schumaker, Swayze.

MOTION

Mr. Thompson moved that all standing committee reports listed on the fifth order of business be passed to Rules Committee for second reading.

The motion was carried.

Mr. Thompson demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Lysen.

On motion of Mr. Charette, the absent member was excused and the House proceeded with business under the Call of the House.

## SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) observed in the south gallery the Sequim Irrigation Festival Royalty: Queen Vicky Hunt, Princess Cindy Thompson, and Princess Nancy Kuss, and asked them to stand and be recognized.

## SECOND READING

HOUSE BILL NO. 435, by Representatives Bausch, Hendricks, Thompson, Adams, Bender, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kilbury, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North (Frances), Paris, Parker, Savage, Smith, Valle, Van Dyk, Warnke, Wojahn and Williams (by Public Employees' Retirement Board request):

Making certain revisions in the public employees' retirement system.

## MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 435, and the bill was ordered placed on the calendar following House Bill No. 1026.

## POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, according to Reed's Rule No. 176, any matter that was before the House at the time of adjourning is before us at this stage. I suggest that Mr. Cunningham's motion is now before us."

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "In connection with your point of order, Mr. Newhouse, your point is well taken. Also House Rule No. 45 states that: 'The unfinished business at which the House was engaged preceding adjournment shall not be taken up until reached in regular order.' So we are on second reading of bills. Mr. Cunningham moved that the Committee on Ways and Means - Revenue be relieved of SUBSTITUTE SENATE BILL NO. 2247, and that it be placed at the top of the second reading calendar for today. Mr. Charette raised the question of consideration on the motion."

With the consent of the House, Mr. Charette withdrew the question of consideration.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Cunningham that the Committee on Ways and Means - Revenue be relieved of Substitute Senate Bill No. 2247, and that it be placed at the top of the second reading calendar.

Mr. Cunningham spoke in favor of the motion.

The Speaker assumed the Chair.

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

Mr. Charette spoke against the motion.

#### POINT OF ORDER

Mr. Pardini: "Mr. Charette is moving far from the motion that is before us, and is into standing committees and interim committees."

Mr. Charette: "Speaking to the point of order, the motion before the body is to relieve a committee of a 68-page bill. I think that I should be allowed to explain, so that all people present will know how to vote, what course this bill is going to take or not going to take. I think that unless they are properly advised on this matter--speaking to the point of order--they really won't know how to vote intelligently."

Mr. Pardini: "With that explanation, I withdraw my objection."

Mr. Charette concluded his remarks in opposition to the motion.

The Speaker called on Mr. O'Brien to preside.

Representatives Newhouse, Flanagan, Smythe, Barden and Julin spoke in favor of the motion by Mr. Cunningham, and Representatives Bagnariol, Moon and Chatalas spoke against it.

Mr. Cunningham closed debate, speaking again in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Cunningham that the Committee on Ways and Means - Revenue be relieved of Substitute Senate Bill No. 2247, and that it be placed at the top of the second reading calendar, and the motion was lost by the following vote: Yeas, 44; nays, 53; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Jueling, Julin, Kelley, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May,

McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Lysen.

HOUSE BILL NO. 862, by Representative Luders:

Relating to air pollution.

MOTION

On motion of Mr. Luders, Substitute House Bill No. 862 was substituted for House Bill No. 862, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 862 was read the second time.

On motion of Mr. Kuehnle, the following amendments by Representatives Kuehnle and Luders were adopted:

On page 7, section 7, line 23 after "development of" and before "practical" insert "economical and"

On page 7, section 7, line 27 after "identification of" and before "practical" insert "economical and"

On page 8, section 7, line 13 after "department" and before "shall" insert "after public hearings have been conducted wherein testimony will be received and considered from interested parties wishing to testify"

On page 8, section 7, line 21 after "of acres" and before "for which" insert "on a pro rata basis among those affected"

Mr. Swayze moved adoption of the following amendment to Substitute House Bill No. 862:

On page 8, line 27 following section 7 insert the following:

"NEW SECTION. Sec. 8. There is added to chapter 70.94 RCW a new section to read as follows:

Except as provided in sections 9 and 10 of this 1973 amendatory act, nothing in this chapter or in regulations implementing this chapter shall prevent a resident of a single family residence from burning natural vegetation in the course of maintaining or improving the grounds of such residence: PROVIDED, That the department of ecology or board of any authority may set conditions for such burning so as to reduce the impact on air quality.

NEW SECTION. Sec. 9. There is added to chapter 70.94 RCW a new section to read as follows:

No person shall cause or allow any outdoor fire:

(1) Containing garbage, dead animals, asphalt, petroleum products, paints, rubber products, plastics, or any substance which normally emits dense smoke or obnoxious odors except as provided in RCW 70.94.650;

(2) During a forecast, alert, warning or emergency condition as defined in RCW 70.94.715;

(3) In any area which has been designated by the department of ecology or board of an activated authority as an area exceeding or threatening to exceed state or federal

ambient air quality standards for particulates.

NEW SECTION. Sec. 10. There is added to chapter 70.94 RCW a new section to read as follows:

In addition to any other powers granted to them by law, the legislative body of a fire protection authority may regulate or prohibit outdoor burning in order to prevent or abate the nuisances caused by such burning."

On motion of Mr. Zimmerman, the following amendment by Representatives Zimmerman and Luders to the amendment by Mr. Swayze was adopted:

On page 1, section 8, line 9 after "burning" and before "natural" insert "wood and paper, so long as neither have been treated by an application of prohibitive material or substances, and"

On motion of Mr. Luders, the following amendment by Representatives Luders and Zimmerman to the amendment by Mr. Swayze was adopted:

On page 1, line 25, section 9 after "standards" insert "or, after July 1, 1976 state ambient air quality standards"

Mr. Swayze spoke in favor of the amended amendment.

The amendment by Mr. Swayze as amended by Representatives Zimmerman and Luders was adopted.

Substitute House Bill No. 862 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 862 was placed on final passage.

Representatives Luders and Valle spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 862, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charney, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Conner, Kuehnle.

Not voting: Representative Lysen.

Engrossed Substitute House Bill No. 862, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

May the record show that my "nay" vote on Engrossed Substitute House Bill No. 862 was cast for the specific purpose of making myself eligible for a conference committee position, should it become necessary to put this bill into conference.

Engrossed Substitute House Bill No. 862 is a good measure with which I concur in concept and my negative vote does not reflect genuine opposition to the measure.

JAMES P. KUEHNLE, 4th District.

HOUSE BILL NO. 530, by Representatives Van Dyk, Benitz, Kilbury, Amen and Bauer:

Changing the law regulating commission merchants.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal for fortieth day, February 16, 1973.)

The bill was read the second time.

On motion of Mr. Kilbury, the committee amendment to page two of the bill was adopted.

On motion of Mr. Van Dyk, the following amendment was adopted:

On page 1, after line 4 add a new section as follows:

"Section 1. Section 1, chapter 139, Laws of 1959 as last amended by section 1, chapter 182, Laws of 1971, 1st ex. sess. and RCW 20.01.010 are each amended to read as follows:

(1) 'Director' means the director of agriculture or his duly authorized representative.

(2) 'Person' means any natural person, firm, partnership, exchange, association, trustee, receiver, corporation, and any member, officer, or employee thereof or assignee for the benefit of creditors.

(3) 'Agricultural product' means any horticultural, viticultural, berry, poultry, poultry product, grain including mint or mint oil processed by or for the producer thereof and hay and straw baled or prepared for market in any manner or form by or for the producer thereof, bee, or other agricultural products, and livestock except horses, mules, and asses.

(4) 'Producer' means any person engaged in the business of growing or producing any agricultural product.

(5) 'Consignor' means any producer or person who sells, ships or delivers to any commission merchant, dealer, cash buyer, or agent, any agricultural product for



processing, handling, sale or resale.

(6) 'Commission merchant' means any person who shall receive on consignment for sale or processing and sale from the consignor thereof any agricultural product for sale on commission on behalf of such consignor, or who shall accept any farm product in trust from the consignor thereof for the purpose of resale, or who shall sell or offer for sale on commission any agricultural product, or who shall in any way handle for the account of or as an agent of the consignor thereof, any agricultural product.

(7) 'Dealer' means any person other than a commission merchant or cash buyer, as defined in subsection (9) of this section, who solicits, contracts for or obtains from the consignor thereof, for reselling or processing, title, possession or control of any agricultural product, or who buys or agrees to buy any agricultural product from the consignor thereof for sale or processing: PROVIDED, That for the purpose of this 1971 amendatory act the term dealer includes any person who purchases livestock on behalf of and for the account of another.

(8) 'Broker' means any person other than a commission merchant, dealer, or cash buyer who negotiates the purchase or sale of any agricultural product: PROVIDED, That no broker may handle the agricultural products involved or proceeds of such sale.

(9) 'Cash buyer' means any person other than a commission merchant, dealer, or broker, who obtains from the consignor thereof for the purpose of resale or processing, title, possession or control of any agricultural product or who contracts for the title, possession or control of any agricultural product, or who buys or agrees to buy any agricultural product by paying to the consignor at the time of obtaining possession or control of any agricultural product the full agreed price of such agricultural product, in coin or currency, lawful money of the United States. However, a cashier's check, certified check or bankdraft may be used for such payment.

(10) 'Agent' means any person who, on behalf of any commission merchant, dealer, broker, or cash buyer, receives, contracts for or solicits any agricultural product from the consignor thereof or who negotiates the consignment or purchase of any agricultural product on behalf of any commission merchant, dealer, broker, or cash buyer and who transacts all or a portion of such business at any location other than at the principal place of business of his employer: PROVIDED, That an agent may operate only in the name of one principal and only to the account of said principal.

(11) 'Retail merchant' means any person operating from a bona fide or established place of business selling agricultural products twelve months of each year: PROVIDED, That any retailer may occasionally wholesale any agricultural product which he has in surplus; however, such wholesaling shall not be in excess of two percent of such retailer's gross business.

(12) 'Fixed or established place of business' for the purpose of this chapter shall mean any permanent warehouse, building, or structure, at which necessary and appropriate equipment and fixtures are maintained for properly handling those agricultural products generally

dealt in, and at which supplies of the agricultural products being usually transported are stored, offered for sale, sold, delivered and generally dealt in in quantities reasonably adequate for and usually carried for the requirements of such a business and which is recognized as a permanent business at such place, and carried on as such in good faith and for the purpose of not evading this chapter, and where specifically designated personnel are available to handle transactions concerning those agricultural products generally dealt in, said personnel being available during designated and appropriate hours to that business, and shall not mean a residence, barn, garage, tent, temporary stand or other temporary quarters, any railway car, or permanent quarters occupied pursuant to any temporary arrangement.

(13) 'Processor' means any person, firm, company or other organization that purchases agricultural crops from a farmer-producer and who cans, freezes, dries, dehydrates, cooks, presses, powders, or otherwise processes such crops in any manner whatsoever for eventual resale.

(14) 'Pooling contract' means any written agreement whereby a consignor delivers a horticultural product to a commission merchant under terms whereby the commission merchant may commingle the consignor's horticultural products for sale with others similarly agreeing, which includes all of the following:

1. A delivery receipt for the consignor which shall indicate the variety of horticultural product delivered, the number of containers, or the weight and care thereof.

2. Horticultural products received for handling and sale in the fresh market shall be accounted for to the consignor with individual pack-out records which shall include variety, grade, size and date of delivery.

3. Terms under which the commission merchant may use his judgement in regard to the sale of the pooled horticultural product.

4. Terms setting forth the charges to be applied to each pool and filed with the state of Washington."

Renumber the remaining sections consecutively

Mr. Van Dyk moved adoption of the following amendment to House Bill No. 530:

On page 1, following section 1, insert a new section as follows:

"Sec. 2. Section 37, chapter 139, Laws of 1959 as last amended by section 3, chapter 232, Laws of 1963 and RCW 20.01.370 are each amended to read as follows:

Every commission merchant, having received any agricultural products for sale as such commission merchant, shall promptly make and keep a correct record showing in detail the following with reference to the handling, sale, or storage of such agricultural products:

- (1) The name and address of the consignor.
- (2) The date received.
- (3) The quality and quantity delivered by the consignor, and where applicable the dockage, tare, grade, size, net weight, or quantity.
- (4) Date of such sale for account of consignor.
- (5) The terms of the sale.
- (6) An itemized statement of the charges to be paid

by consignor in connection with the sale.

(7) The names and addresses of all purchasers if said commission merchant has any financial interest in the business of said purchasers, or if said purchasers have any financial interest in the business of said commission merchant, directly or indirectly, as holder of the other's corporate stock, as copartner, as lender or borrower of money to or from the other, or otherwise. Such interest shall be noted in said records following the name of any such purchaser.

(8) A lot number or other identifying mark for each consignment, which number or mark shall appear on all sales tags and other essential records needed to show what the agricultural products actually sold for.

(9) Any claim or claims which have been or may be filed by the commission merchant against any person for overcharges or for damages resulting from the injury or deterioration of such agricultural products by the act, neglect or failure of such person and such records shall be open to the inspection of the director and the consignor of agricultural products for whom such claim or claims are made.

(10) Where a pooling arrangement is agreed to in writing between the consignor and commission merchant, the reporting requirements of RCW 20.01.370 (4), (5), (6), and (8) shall apply to the pool rather than to the individual consignor or consignment and the records of the pool shall be available for inspection by any consignor to that pool."

Renumber the remaining sections consecutively

Representatives Van Dyk, Newhouse and Kilbury spoke in favor of the amendment, and the amendment was adopted.

On motion of Mr. Van Dyk, the following amendment was adopted:

On page 2, section 2, line 16 after "commission" and before the period insert ": PROVIDED, That a commission merchant who has made cash advances to any consignor may recover any such individual cash advance from first proceeds paid into the trust account"

On motion of Mr. Kilbury, the following amendment to House Bill No. 530 was adopted:

On page 2, add a new section immediately following section 4 to read as follows:

"NEW SECTION. Sec. 5. Section 43, chapter 139, Laws of 1959 and RCW 20.01.430 are each repealed."

On motion of Mr. Kilbury, the committee amendment to the title was adopted.

On motion of Mr. Van Dyk, the following amendments to the title were adopted:

On page 1, line 3 after "RCW" and before the period insert "; amending section 37, chapter 139, Laws of 1959 as last amended by section 3, chapter 232, Laws of 1963, and RCW 20.01.370"

On page 1, line 3 after "RCW" and before the period insert "; amending section 1, chapter 139, Laws of 1959 as last amended by section 1, chapter 182, Laws of 1971, 1st

ex. sess., and RCW 20.01.010"

House Bill No. 530 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 530 was placed on final passage.

Representatives Van Dyk and Benitz spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Van Dyk yielded to question by Mr. Tilly.

Mr. Tilly: "Mr. Van Dyk, on page 2, line 13, the word 'charges'--I was wondering if this word would cover packing, packaging and storage of fruit such as apples?"

Mr. Van Dyk: "Yes, Representative Tilly, that would be my intent, and is my intent. I discussed that question with Representative Benitz and we would concur."

Mr. Tilly spoke in favor of the bill.

#### MOTION

On motion of Mr. Thompson, Representatives Wojahn and Julin were excused from further proceedings under the Call of the House.

#### POINT OF INQUIRY

Mr. Van Dyk yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Van Dyk, the Commission Merchants Act has to do with dealers and brokers and processors of various horticultural products. On the basis of your rather extensive knowledge in this area, are you of the opinion that the processors, formulators and marketing agents of field grass seeds are included under the terms of the Commission Merchants Act?"

Mr. Van Dyk: "Representative Kuehnle, it has been my information that they have not been considered so in the past, and this bill does not change their scope--the scope of the inclusion. So it would be my opinion that they are not covered."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 530, and the bill passed the House by the following vote: Yeas, 87; nays, 8; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines,

Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Cunningham, Curtis, Ellis, Garrett, Hendricks, Parker, Tilly.

Not voting: Representatives Julin, Lysen, Wojahn.

Engrossed House Bill No. 530, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mrs. Wojahn appeared at the bar of the House.

HOUSE BILL NO. 1026, by Representatives Van Dyk, North (Lois), Goltz, Kilbury, Douthwaite, Fortson, Charnley, Rabel, Lysen, Sommers and Kelley:

Providing for a state-wide system of unit pricing in grocery stores.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendment, see Journal for sixth day, Ex. Sess., March 14, 1973.)

The bill was read the second time.

On motion of Mr. Kilbury, the committee amendment was adopted.

Mr. Curtis moved adoption of the following amendments:

On page 1, section 1, line 6 after "(1)" strike all material down to and including "business" on line 9 and insert "'Store' means any retail establishment or department thereof, selling consumer commodities;"

On page 1, section 2, line 27 after "any" strike "grocery store or grocery department" and insert "store"

On page 2, section 2, line 9 after "each" strike "grocery store or grocery department" and insert "store"

Representatives Curtis and Ceccarelli spoke in favor of adoption of the amendments, and Representatives Van Dyk, Kilbury and North (Lois) spoke against their adoption.

Mr. Curtis spoke again in favor of the amendments, and Mr. Charette spoke against them.

The amendments were lost on a rising vote.

Mr. Curtis moved adoption of the following amendment:

On page 6, section 8, line 17 strike all of section

8 and renumber the remaining sections consecutively

Mr. Curtis spoke in favor of the amendment and Mr. Van Dyk spoke against it.

The amendment was not adopted.

House Bill No. 1026 was ordered engrossed.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 1026 be placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed House Bill No. 1026 to third reading and final passage, and the motion was carried by the following vote: Yeas, 87; nays, 9; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hanser, Hansey, Hendricks, Hoggins, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardinl, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Haussler, Hayner, Hurley, Jueling, Kuehne, Polk, Pullen, Schumaker, Wojahn.

Not voting: Representatives Julin, Lysen.

Representatives Van Dyk, Charnley and North (Lois) spoke in favor of passage of the bill, and Representatives Curtis, Wojahn, Amen, Schumaker and Ceccarelli spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1026, and the bill failed to pass the House by the following vote: Yeas, 48; nays, 48; not voting, 2.

Voting yea: Representatives Anderson, Bagnariol, Barden, Bauer, Bausch, Bender, Blair, Bluechel, Brown, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders,

Martinis, Maxie, May, Moon, Nelson, North L., O'Brien, Perry, Rabel, Savage, Shipoch, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Beck, Benitz, Berentson, Ceccarelli, Charnley, Cunningham, Curtis, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Jueling, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, McCormick, Morrison, Newhouse, North F., Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Schumaker, Smith, Smythe, Swayze, Tilly, Wojahn, Zimmerman.

Not voting: Representatives Julin, Lysen.

Engrossed House Bill No. 1026, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Mr. Charnley served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Engrossed House Bill No. 1026 failed to pass the House.

#### POINT OF ORDER

Mr. Pardini: "The measure on final passage failed to receive a constitutional majority. Does that not defeat the measure for the session?"

The Speaker (Mr. O'Brien presiding): "Mr. Pardini, Mr. Charnley voted on the prevailing side, and served notice to reconsider the vote by which Engrossed House Bill No. 1026 failed to receive a constitutional majority. I believe his notice is in order."

#### MOTION

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

#### PARLIAMENTARY INQUIRY

Mr. Swayze: "Point of parliamentary inquiry, Mr. Speaker. I am looking for the rule which may answer it, but since we have by concurrent resolution established an adjournment date, I am wondering whether our House Rule requiring immediate consideration after a particular date of the session would be applicable here."

The Speaker (Mr. O'Brien presiding): "Mr. Swayze, in connection with your inquiry as to notice of reconsideration and whether or not it would have to be done immediately, if you review House Rule No. 70, it states: 'That after the fiftieth day reconsideration can be had only on the date the vote to be reconsidered was taken.' Therefore it appears that the notice of reconsideration can be given on one day and reconsidered on the next succeeding working day."

## MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Julin who was excused.

## MOTION

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

## MESSAGE FROM THE SENATE

April 7, 1973

Mr. Speaker:

The Senate refuses to recede from its amendment to ENGROSSED HOUSE BILL NO. 782 on page 4, section 3, line 16, and asks the House for a conference thereon, and the President has appointed as members of the Conference Committee: Senators Mardesich, Whetzel and Grant.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mrs. Wojahn, the House granted the request of the Senate for a conference on Engrossed House Bill No. 782.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) appointed Representatives Wojahn, Ceccarelli and Curtis as members of the Conference Committee on Engrossed House Bill No. 782.

## MESSAGE FROM THE SENATE

April 7, 1973

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2365, and asks the House to recede therefrom, and said bill, together with the House amendments, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Parker moved that the House recede from its amendments to Engrossed Substitute Senate Bill No. 2365.



Mr. Parker spoke in favor of the motion.

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

Representative Leckenby spoke against the motion by Mr. Parker, and Representatives Nelson and Conner spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion by Mr. Parker that the House recede from its amendments to Engrossed Substitute Senate Bill No. 2365, and the motion was carried by the following vote: Yeas, 64; nays, 32; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Lysen, Martinis, Maxie, McCormick, Moon, Nelson, North F., North L., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Flanagan, Freeman, Garrett, Haussler, Hendricks, Hoggins, Hurley, Jueling, Kopet, Kraabel, Leckenby, Luders, May, Morrison, Newhouse, Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Zimmerman.

Not voting: Representatives Julin, Matthews.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2365 without the House amendments.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2365 without the House amendments, and the bill passed the House by the following vote: Yeas, 72; nays, 24; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Lysen, Martinis, Maxie, McCormick, Moon, Morrison, Newhouse, North L., O'Brien, Paris, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk,

Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Barden, Blair, Bluechel, Brown, Cunningham, Eikenberry, Flanagan, Hayner, Hurley, Kopet, Kraabel, Leckenby, Luders, Matthews, May, Nelson, North F., Pardini, Patterson, Polk, Pullen, Schumaker, Swayze.

Not voting: Representatives Julin, and Mr. Speaker.

Engrossed Substitute Senate Bill No. 2365 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Let the record reflect a "yes" vote on Engrossed Substitute Senate Bill No. 2365.

GARY A. NELSON, 21st District.

#### MOTION

Mr. Luders moved that Engrossed Substitute House Bill No. 862 be ordered transmitted immediately to the Senate.

With the consent of the House, the motion was amended to include all bills passed by the House today.

The motion was carried.

#### INTRODUCTION AND FIRST READING

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.

To Committee on Local Government.

ENGROSSED 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.

To Committee on Transportation and Utilities.

ENGROSSED 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.

To Committee on Local Government.

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.

To Committee on Transportation and Utilities.

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.

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.

To Committee on Agriculture.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2748, by Committee on Transportation and Utilities (Originally sponsored by Senator Walgren):

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.

To Committee on Transportation and Utilities.

SUBSTITUTE SENATE BILL NO. 2787, by Committee on Transportation and Utilities (Originally sponsored by Senator Wanamaker):

AN ACT Relating to vehicle licenses; 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 46.16.125, chapter 12, Laws of 1961 as amended by section 60, chapter 83, Laws of 1967 ex. sess. and RCW 46.16.125; 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; declaring an emergency; and making effective dates.

To Committee on Transportation and Utilities.

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.

To Committee on Ways and Means - Revenue.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 129, by Senators Metcalf, Grant and Bailey:

Providing for a study of election procedures.

To Committee on Constitution and Elections.

#### MOTION

Mr. Thompson moved that the bills and resolutions printed on the supplemental introduction sheet be considered first reading under the fourth order of business and be referred to the committees so designated.

The motion was carried.

#### MOTION

On motion of Mr. Thompson, ENGROSSED SENATE BILL NO. 2009 was rereferred from the Committee on Ecology to the Committee on Transportation and Utilities.

#### SECOND READING

HOUSE BILL NO. 435, by Representatives Bausch, Hendricks, Thompson, Adams, Bender, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Johnson, Kilbury, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North (Frances), Paris, Parker, Savage, Smith, Valle, Van Dyk, Warnke,

Wojahn and Williams (by Public Employees' Retirement Board request):

Making certain revisions in the public employees' retirement system.

#### MOTION

On motion of Mr. Williams, Substitute House Bill No. 435 was substituted for House Bill No. 435, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 435 was read the second time.

Mr. Charette demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Julin.

On motion of Mr. Charette, the absent member was excused, and the House proceeded with business under the Call of the House.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

Mr. Julin appeared at the bar of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be Substitute House Bill No. 435 on second reading.

Mr. Kopet moved adoption of the following amendment by Representatives Kopet and Smythe:

On page 2, line 6 insert:

"NEW SECTION. Section 1. There is added to chapter 41.32 RCW a new section to read as follows:

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 the enactment of legislation creating a new retirement system through a merger of the public employees' retirement system and the teachers' retirement system or from benefit liberalizations of the teachers' retirement system until June 30, 1974."

Renumber the remaining sections consecutively.

Mr. Kopet spoke in favor of the amendment.

Mr. King moved adoption of the following amendment

to the amendment:

In line 5 of the amendment by Mr. Kopet, after "entitled" and before "to" insert "as a matter of contractual right"

Representatives King and Smythe spoke in favor of the amendment to the amendment.

The amendment by Mr. King to the amendment by Representatives Kopet and Smythe to Substitute House Bill No. 435 was adopted.

Mr. Smythe spoke in favor of the amended amendment.

The amendment as amended was adopted.

The Clerk read the following amendments by Representatives Curtis, Tilly, Berentson, Smythe, Kopet, Benitz, Brown, Gilleland, Zimmerman, Amen, Flanagan, Jueling, Pardini, Kuehne, Luders, Sommers, Smith, Kelley, Hansey, Nelson, Polk, Paris, Leckenby, North (Lois), Matthews, Hayner, Cunningham, Garrett, Freeman and Eikenberry:

On page 5, section 1, line 27 after "(15)" insert "(a)"

On page 5, section 1, after line 32 insert:

"(b) For the purposes of RCW 41.40.190(5) as now or hereafter amended, members elected or appointed pursuant to Articles II or III of the Constitution of the state of Washington or RCW 48.02.010 and the implementing statutes and not receiving benefits on the effective date of this 1973 Amendatory Act shall constitute class I public employees as distinguished from employees eligible for membership under the provisions of RCW 41.40.120 who shall constitute class II public employees. For a member who has served in class I, average final compensation shall be an amount equal to the sum of the products of (i) his time in class I multiplied by his class I income at the time of termination of class I status plus (ii) his time in class II multiplied by his class II income at the time of termination of class II status, such sum to be divided by his total time in class I and class II employment."

#### QUESTION OF CONSIDERATION

Mr. Gallagher raised the question of consideration on the amendments by Representative Curtis and others.

The question of consideration was decided in the negative.

The Speaker (Mr. O'Brien presiding) stated that by its action the House voted not to consider the amendments.

#### POINT OF ORDER

Mr. Curtis: "Was there in fact a motion in front of us? It had not been allowed to be moved."

The Speaker (Mr. O'Brien presiding): "The question was put before the House. The Speaker put the question when the Clerk read the amendment. The House was in possession of the amendment when the Clerk read it."

Mr. Curtis: "I was never allowed to put the motion. As such, was it ever in possession of the body? I could have withdrawn it at any moment until that time."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "It wasn't necessary for you to make the motion to put it in the possession of the body. The body had possession of the amendment when the Speaker asked the Clerk to read it and the Clerk read it. Precedent has been established along this line. The body had possession of the amendment as soon as it was put on the desk and read by the Clerk."

#### POINT OF ORDER

Mr. Julin: "Mr. Speaker, in light of the adoption of the motion of consideration, I ask for a ruling as to whether or not the entire measure is before the body."

The Speaker (Mr. O'Brien presiding): "In connection with your point on the question of consideration, the question of consideration was just raised on the amendment by Mr. Curtis."

#### PARLIAMENTARY INQUIRY

Mr. Julin: "In light of that ruling, my question is whether or not the question of consideration was properly before the body, because I believe Reed's Rules say the question of consideration only goes to the main motion."

The Speaker (Mr. O'Brien presiding): "Precedent has been established time after time in the House of Representatives of the State of Washington on this question of consideration. The first time we have used it rather prevalently was in the 1947 session of the legislature when it was used on a number of occasions on amendments. Also it has very substantial support by the fact that an amendment is a substantial question. This is also borne out by Mason's Rules, along with Reed's, and House precedent established time after time that the question of consideration can be raised on an amendment which is a substantial question."

On motion of Mr. Swayze, the following amendments by Representatives Swayze and Gallagher were adopted:

On page 12, section 13, line 29 after "That" strike all material down to and including "member" on line 30, and insert "(if a member is elected to an office in such city, the member) any member elected or appointed to an elective office on or after April 1, 1971"

On page 13, section 13, line 1 after "chapter." and before "Any" insert:

"The city shall also transfer to this system all of

such member's accumulated contributions together with such further amounts as necessary to equal all employee and employer contributions which would have been paid into this system on account of such service with the city and thereupon the member shall be granted credit for all such service."

Mr. Curtis moved adoption of the following amendment:

On page 17, section 7, beginning on line 13 after "may" strike the remainder of the sentence and insert "((7 at any time thereafter while still in office; apply for and receive a retirement allowance under RCW 41.40-190 and RCW 41.40-290; if otherwise eligible therefor; while continuing to serve as an elective official but such person shall no longer be a member of the retirement system after his retirement as provided for in this subsection)) continue to serve as an elective official and to receive retirement credit for such service."

Representatives Curtis and Williams spoke in favor of the amendment.

Mr. Curtis spoke again in favor of the amendment, and the amendment was adopted.

Mr. Bagnariol moved adoption of the following amendment by Representatives Morrison and Bagnariol:

On page 29, line 2 insert a new section as follows:

"NEW SECTION. Sec. 15. (1) It is the intent of the legislature that the Washington public employees' retirement system and the Washington state teachers' retirement system should be merged no later than July 1, 1975, in such manner as shall be established by the legislature.

(a) In order to facilitate such merger, a Retirement System Merger Task Force is created. It shall be the duty and responsibility of this task force to make studies of and recommendations for the merger of these systems. These recommendations are to be submitted to the public pension commission, the legislative budget committee and the legislature, not later than the regular session of the legislature to be held in 1975.

(b) The members of the task force shall consist of the following persons:

1. Two representatives of employee organizations representing members of the public employees' retirement system, such representatives to be appointed by the Governor;

2. Two representatives of employee organizations representing members of the teachers' retirement system, such representatives to be appointed by the Governor;

3. Two board members of the public employees' retirement system, one representing state government management and the other representing local government management, both to be appointed by the chairman of the board;

4. Two members of the teachers' retirement system board, both to be appointed by the chairman of the board;

5. Two members of the Senate appointed by the



President of the Senate and to include a representative of each caucus;

6. Two members of the House of Representatives appointed by the Speaker of the House and to include a representative of each caucus.

The public pension commission shall perform the administrative duties of this task force. The members shall receive such travel and per diem allowances as are authorized for state employees, said allowances to be paid by the organization or agency or body the member represents.

(2) The task force shall address itself to:

1. Proposed plans for funding the merged systems on a uniform basis without jeopardizing the present fund level of the public employee retirement system;

2. Equalization of benefits, both retirement and disability;

3. Eligibility requirements and provisions for transfer from prior systems into the proposed merged system;

4. Board membership which will reflect the employee and governmental employer interests involved;

5. Retirement allowance options offered a member at the time of retirement;

6. Contribution rates of both employees and governmental employers;

7. The age of compulsory retirement;

8. Provision of cost of living increases after retirement and recommendations for financing such increases;

9. Other desirable merger provisions as are suggested by the Touche-Ross Report being prepared for the legislative budget committee."

Mr. Bagnariol moved adoption of the following amendment to the amendment:

On line 4 of the amendment after "should" strike "be merged" and insert "consider merging"

Representatives Bagnariol and Morrison spoke in favor of the amendment to the amendment.

The amendment to the amendment was adopted.

Mr. Morrison spoke in favor of the amendment as amended, and Mr. Pardini spoke against it.

The Speaker assumed the Chair.

Mr. Bagnariol spoke in favor of the amended amendment.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Bagnariol, it is hard to know how to vote on these things because of the lack of figures and amounts of dollars required. I was wondering if you could tell me, assuming that we raise the teachers

as of now up to the same level as the PERS, and then put all these systems (Teachers, PERS and LEFF) on a forty-year level amortization basis, how many additional dollars would it be necessary to appropriate in this biennium to get the three systems on that basis?"

Mr. Bagnariol: "I can't answer that question, Representative Flanagan. I think that to bring the teachers up to the two percent level that the public employees are at, it is about \$8.5 million. I'm not sure what we would have if we brought the LEFF system into conformity with the other two systems. That is one of the reasons for the Touche-Ross study, and one of the reasons for this task force being set up--to find out exactly what we are talking about."

Mr. Flanagan: "We have to apparently pass the bill before we know what those figures are. I have had a lot of different figures on this. I had figures from Mr. Broadhead that on this teachers' retirement system, if you put it on a forty-year level amortization basis as of now, with the new benefits, it would take \$129 million."

Mr. Bagnariol: "Representative Flanagan, as I told you, I can't give you the figures because I don't have them. What we are speaking to right now is this amendment by Representative Morrison and myself to set up a task force to study the subject."

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

The amendment by Representatives Morrison and Bagnariol, as amended, was adopted.

On motion of Mr. Morrison, the following amendment by Representatives Morrison and Bagnariol was adopted:

On page 29, line 6 after "1974." insert:

"NEW SECTION. Sec. 17. 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."

Renumber the remaining section consecutively.

On motion of Mr. Kopet, the following amendment to the title by Representatives Kopet and Smythe was adopted:

On page 1, line 1 of the title after "system;" and before "amending" insert "adding a new section to chapter 41.32 RCW;"

Substitute House Bill No. 435 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 435 was placed on final passage.

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

The Speaker called on Mr. Charette to preside.

Mr. Bausch spoke in favor of passage of the bill, and Mr. Pardini spoke against it.

The Speaker resumed the Chair.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 435, and the bill passed the House by the following vote: Yeas, 91; nays, 7; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Flanagan, Hayner, Julin, Kopet, Kuehnle, Pardini, Polk.

Engrossed Substitute House Bill No. 435, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Thompson moved that the House do now consider the following bills on second reading in the following order: ENGROSSED SENATE BILL NO. 2153, ENGROSSED SUBSTITUTE SENATE BILL NO. 2226, ENGROSSED SENATE BILL NO. 2326, ENGROSSED SENATE BILL NO. 2502, and SENATE BILL NO. 2544.

The motion was carried.

ENGROSSED 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 bill was read the second time.

Mr. Newhouse moved adoption of the following amendment:

On page 2, section 2, line 20 beginning with "It" strike the balance of the section and insert:

"(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:))"

Representative Newhouse spoke in favor of the amendment, and Representatives Maxie and King spoke against it.

Mr. Newhouse spoke again in favor of the amendment.

The amendment by Mr. Newhouse was lost on a rising vote.

#### POINT OF ORDER

Mr. Julin: "Our Rule 22 reads: 'Bills introduced in the house of representatives intended to amend existing statutes shall have the words which are amendatory to such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by lining out such matter with a broken line and enclosing the lined out material within double parentheses, and no bill shall be printed or acted upon until the provisions of this rule shall have been complied with.' In light of Rule 22, and that language, Mr. Speaker, I ask you to rule on whether or not (in light of the failure to adopt Representative Newhouse's amendment) this bill is properly before us for consideration."

The Speaker: "Representative Julin, the Speaker wishes to apologize to the House because this was brought to our attention in Rules Committee. I was going to bring it to the attention of the House that there had been an error in the printing of the bill. It was mentioned to us in Rules Committee and, also, I think in the regular committee by Representative Maxie. I had it marked down but had forgotten to bring it to the attention of the House. I think technically you are probably right, and this is something I was going to make the House aware of. Our Rules Committee was aware of it, but I don't think it was anything other than an inadvertent printing error."

Mr. Julin: "Mr. Speaker, then am I correct in understanding that this bill should be with underlining on all of the matter on page 2, lines 20 through 33, and that is the form in which this measure is before us, so that it is clear it is additional amendatory language being added by this bill?"

The Speaker: "Yes, Representative Julin. I am glad you brought this to our attention. Representative Newhouse did so the other day, and I marked it down but forgot to bring it to the attention of the House that it was an oversight. If there is no objection, it will so be considered. Hearing no objection, it is so ruled. The Clerk will be ordered to underline this matter."

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2153 was placed on final passage.

Ms. Maxie spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Ms. Maxie yielded to question by Mr. King.

Mr. King: "Representative Maxie, for the purpose of establishing legislative intent, is the language in section 6 to be interpreted to mean that, while the community college board of trustees is not compelled to agree or make any concessions, it is nonetheless required by law to negotiate on those matters required by law?"

Ms. Maxie: "The answer to your question, Representative King, is 'yes.' This was reviewed by the attorney general's office, and the legal counsel for the public employees' collective bargaining committee. They agreed that section 6 in no way affects the requirement for the governing boards to negotiate as provided by RCW 28B.52.030."

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2153, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2226, by Committee on Judiciary (Originally sponsored by Senators Fleming, Francis, Murray, Ridder, Bottiger, Grant, Wanamaker and Henry - by Executive request):

Providing residential landlord-tenant laws.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-ninth day, Ex. Sess., April 6, 1973.)

The bill was read the second time.

The Clerk read the first amendment by the Committee on Judiciary.

#### PARLIAMENTARY INQUIRY

Mr. Knowles: "This amendment would only be necessary if a subsequent amendment were to pass striking section 43. I move we defer considering this one until that one is adopted."

The Speaker: "Hearing no objection, the present amendment will be withdrawn at this time."

#### MOTION

On motion of Mr. Charette, Representatives Shinpoch and Bagnariol were excused from further proceedings under the Call of the House.

On motion of Mr. Knowles, the committee amendments to pages 3, 4 and 5 were adopted.

Mr. Knowles moved adoption of the committee amendments to page 6, line 1; and page 6, lines 4 and 5.

Mr. Knowles spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Kuehnle: "I just noticed this or I would have asked previously. The language which is being struck, says 'Not more than twenty-four hours, where the landlord fails to provide water or heat as agreed upon in the rental agreement or where the defective condition is imminently hazardous to life.' In striking that language it would appear to me that in a set of circumstances where there was an agreement that set forth that the landlord was not obliged to provide water or heat, that we would have negated the terms of that contract."

Mr. Knowles: "I think that is covered elsewhere in it. There are exclusions here where the landlord is not required to provide heat or light. This is in those

instances where the rental agreement does provide that, whereas the amendment is merely to make sure that it is a defective condition which renders this defect rather than some act on the part of the tenant."

Mr. Kuehnle: "What was the purpose then, Representative Knowles, of striking the language that covered the rental agreement?"

Mr. Knowles: "I can't answer your question. Maybe Mr. Julin can."

Mr. Julin: "Representative Kuehnle, the purpose and intent of the amendment is to make clear that the landlord will not have an obligation or a burden in this situation where the cause of the defective condition is as a result of the tenant's failure to take some action such as to pay the utility bill and thereby the water or the electricity gets shut off. Its sole intent and purpose is to make it clear that the defect is not to be burdensome on the landlord when the defect is the result of the tenant's failure."

Mr. Kuehnle: "I assume from what you say, then, that if there were an agreement entered into as a rental agreement whereby the landlord was not being called upon to furnish heat, that this would not have any effect on the agreement."

Mr. Julin: "Correct, Representative Kuehnle. It is precisely that type of situation that we are trying to make sure is clear, that with that kind of an agreement the landlord would not have an obligation if the tenant failed to meet the terms of the rental agreement."

The amendments were adopted.

On motion of Mr. Knowles, the committee amendments to page 6, line 20; page 10, line 11; page 13, line 13; page 14, line 5; and page 15, line 17 and line 21, were adopted.

Mr. Knowles moved adoption of the committee amendment to page 18, line 28 and spoke in favor of its adoption.

#### POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "We are striking the language 'if the tenant reasonably appears to have abandoned possession of the dwelling unit,' and substituting language so that it reads 'if the tenant defaults in the payment of rent,' and then we continue on to page 19, down on lines 15, 16 and 17, which says: 'In the event of such abandonment of tenancy and an accompanying default in the payment of rent by the tenant, the landlord may immediately enter and take possession of any property.' It appears to me right offhand that we have now precluded the possibility of a

landlord entering and taking possession so long as the rent remains paid. This just started ringing a bell with me because once upon a time I had a tenant who mailed in the rental payments, had abandoned the property, and it was reported to me by the neighbors that the property was abandoned. The plumbing was freezing up, and frozen and broken, and I needed to take possession of that property in order to protect my interests in the property. I wonder now about the deletion of this language which looks to me as if, unless he stops paying his rent, he hasn't abandoned the property."

Mr. Knowles: "In answer to that, if he is current in his rent, he has the right to the possession of that property. Now in the situation you are talking about that you ran into, there is another section of this bill that provides that in an emergency situation you can enter the premises. Actually, as I said before, as long as his rent is paid, I don't think you could say he has abandoned the property and he is entitled to stay there until the end of his rent period. What this amendment attempts to do is to clear up the language here, to make it more certain that there is an abandonment. The way the language read before, 'the tenant reasonably appears to have abandoned possession.' Well how would you know that? If he has not paid his rent, and then there are reasonable indications by word or action of his intention not to resume the tenancy, that gives you the grounds you need to determine he has actually abandoned it. But as long as his rent is paid, he is entitled to possession of that property."

Mr. Kuehnle: "Then I have your assurance that there is other language that covers the circumstances which I recited?"

Mr. Knowles: "Yes."

The amendment to page 18 was adopted.

On motion of Mr. Knowles, the committee amendments to page 20, line 26, and page 22, line 10 were adopted.

Mr. Knowles moved adoption of the committee amendment to page 24, line 26.

Mr. Julin spoke in favor of the amendment, and the amendment was adopted.

On motion of Mr. Knowles, the committee amendments to page 24, line 27; page 25, beginning on line 1; page 26, beginning on line 31; page 27, line 21; and the first committee amendment (page 1, line 4) were adopted.

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

On page 13, section 23, line 33 after "act" strike "and"

On page 14, section 23, line 11 strike "And" and insert "That the tenant and"



On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2226 as amended by the House was placed on final passage.

Representatives Maxie and Julin spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2226 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 4; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Garrett, Juelling, Pullen, Schumaker.

Not voting: Representatives Bagnariol, Shinpoch.

Engrossed Substitute Senate Bill No. 2226 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2326 was placed on final passage.

Mr. Williams spoke in favor of the bill.

## ROLL CALL

The clerk called the roll on the final passage of Engrossed Senate Bill No. 2326, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson,

Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bluechel, Brown, Pardini.

Not voting: Representatives Bagnariol, Shinpoch.

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.

ENGROSSED SENATE BILL NO. 2502, by Senators Francis, Whetzel and Henry (by Washington State Women's Council request):

Implementing HJR 61.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-sixth day, Ex. Sess., April 3, 1973.)

The bill was read the second time.

On motion of Ms. Sommers, the committee amendments were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2502 as amended by the House was placed on final passage.

Representatives Sommers and Wojahn spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2502 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 7; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley,

Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Gallagher, Hurley, Kopet, Kuehnle, Martinis, Schumaker, Zimmerman.

Not voting: Representatives Bagnariol, Shinpoch.

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.

#### MOTION

On motion of Mr. Conner, all bills passed by the House were ordered transmitted immediately to the Senate.

ENGROSSED SENATE BILL NO. 2544, by Senators Durkan, Peterson (Ted) and Connor:

Providing for registration of contractors by the department of labor and industries.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-seventh day, Ex. Sess., April 4, 1973.)

The bill was read the second time.

On motion of Mrs. Wojahn, the committee amendments were adopted.

Engrossed Senate Bill No. 2544 as amended by the House was passed to the Committee on Rules for third reading.

#### MOTION

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

#### THIRD READING

HOUSE BILL NO. 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.

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

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

## POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Warnke, I am a little concerned that we are talking about 'during working hours,' which certainly is going to be the most convenient for the employee representatives. But does not this act cover most local units of government, where in fact the people bargaining might be elected officials that are working and serving on their own time, and are we not now in collective bargaining handing the balance of power to the employee who can sit there and wait?"

Mr. Warnke: "Representative Morrison, what you are talking about, I assume, are either city employees, city council members, county council members or school board directors who are elected to office and therefore are employed somewhere else and would like to meet at night. But this act also applies to employee organization representatives who are on swing shift, whereby they cannot get the time off to meet with the employer when the employer is available to meet with them. Under one of the rulings that has been used in the school district, and some of us have run into it, is the problem of not being able to pay for services rendered. Therefore the school district will say to an employee, we cannot let you off because we can't allow the time and the shift cannot be rearranged. So this would allow them to be able to meet whether it be on swing shift time or the evening time. Those employees, obviously, on the day shift would not be paid to come in and negotiate at night, but those employees who would be available in the evening could come in and negotiate with their employers."

Mr. Morrison spoke against passage of the bill, and Mr. Savage spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 227, and the bill passed the House by the following vote: Yeas, 58; nays, 38; not voting, 2.

Voting yea: Representatives Adams, Anderson, Barden, Bauer, Bausch, Beck, Bender, Berentson, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hendricks, Hurley, Jasta, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Pullen, Randall, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Blair, Bluechel, Brown, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representatives Bagnariol, Shinpoch.

House Bill No. 227, having received the constitutional 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. 264, by Committee on Judiciary (Originally sponsored by Representatives Smythe, May, Kuehnle and Luders):

Implementing laws relating to mechanics' and materialmen's liens and construction loan mortgages.

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

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

The Speaker called on Mr. O'Brien to preside.

Representatives Bagnariol and Shinpoch appeared at the bar of the House.

Representative Swayze spoke against passage of the bill, and Representatives Smythe and Kuehnle spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 264, and the bill passed the House by the following vote: Yeas, 82; nays, 16; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bluechel, Charette, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gilleland, Hayner, Juelling, Julin, Lysen, Matthews, Nelson, Swayze, Thompson.

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

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.

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

Mr. Parker spoke in favor of passage of the bill, and Mr. Morrison spoke against it.

Mr. Parker spoke again in favor of the bill, and Representatives Leckenby and Zimmerman spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 340, and the bill passed the House by the following vote: Yeas, 51; nays, 47; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Haussler, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Knowles, Kopet, Kuehnle, Luders, Lysen, Martinis, Maxie, May, McCormick, O'Brien, Paris, Perry, Randall, Savage, Schumaker, Smith, Sommers, Swayze, Thompson, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bauer, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Julin, Kilbury, King, Kraabel, Laughlin, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North F., North L., Pardini, Parker, Patterson, Polk, Pullen, Rabel, Shinpoch, Smythe, Tilly, Valle, Wilson, Zimmerman.

Substitute House Bill No. 340, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

On Substitute House Bill No. 340, as the prime sponsor of the substitute bill, I voted "no" to be sure that a conference committee, should the bill go there, would be able to pass out an acceptable bill.

MIKE PARKER,  
29th District.

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 third time and placed on final passage.

The Speaker resumed the Chair.

Mr. Bagnariol spoke in favor of passage of the bill, and Mr. Julin spoke against it.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mrs. Valle.

Mrs. Valle: "In the amendment to this bill, new section 4 refers to all licensed practitioners of such health care services. Will you please define what is 'all licensed practitioners'?"

Mr. Bagnariol: "I am not sure that I can recall all of them just offhand, but I will make an effort. Of course it includes M.D.'s. It would include optometrists, chiropractors, podiatrists, dentists (if dental care were offered under a health care contract), osteopaths, nursing--most of them I think I have caught in there, but there may be one or two others that I have overlooked."

Representative Kelley spoke in favor of passage of the bill, and Representatives Eikenberry and Douthwaite spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 552, and the bill failed to pass the House by the following vote: Yeas, 40; nays, 58; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bausch, Bender, Ceccarelli, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Gaines, Gallagher, Gaspard, Hansen, Hurley, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Maxie, McCormick, O'Brien, Parker, Perry, Randall, Savage, Smith, Valle, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Brown, Charette, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Erickson, Flanagan, Fortson, Freeman, Garrett, Gilleland, Goltz, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Juelling, Julin, Kopet, Kraabel, Leckenby, Martinis, Matthews, May, Moon, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Shipoch, Smythe, Sommers, Swayze, Thompson, Tilly, Van Dyk, Wilson, Wojahn, Zimmerman.

Engrossed House Bill No. 552, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Martinis served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Engrossed House Bill No. 552 failed to pass the House.

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 third time and placed on final passage.

Representatives Hansey and Goltz spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 933, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Chatalas.

Engrossed House Bill No. 933, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SPEAKER'S INQUIRY

The Speaker: "Mr. Swayze, you gave notice yesterday that you were going to move for reconsideration of Engrossed Senate Joint Resolution No. 109 today. Do you intend to do so?"

Mr. Swayze: "Mr. Speaker, since there are not



sufficient votes to pass this measure in its present form, and without an agreement to consider an implementing statute or to return the measure to second reading for the purpose of amendment, I will not make that motion."

#### MOTION FOR RECONSIDERATION

Mr. Kalich, having voted on the prevailing side, moved that the House do now reconsider the vote by which Engrossed Senate Joint Resolution No. 109 failed to pass the House.

The motion was carried.

#### POINT OF ORDER

Mr. Swayze: "Mr. Speaker, under House Rule No. 70, Mr. Kalich cannot serve notice of reconsideration today."

#### RULING BY THE SPEAKER

The Speaker: "Rule 70 states: 'Notice of a motion for reconsideration on the final passage of bills may be made only on the day the vote to be reconsidered was taken.'

"A motion to reconsider can be made only by a member voting on the prevailing side.'

"Having been a member voting on the prevailing side, I think the matter is before us since you gave notice. Otherwise it would preclude anybody from making a proper motion and would kill a bill."

#### POINT OF ORDER

Mr. Pardini: "The first part of that rule which you just read says 'on the day the vote was taken.' The vote was not taken today."

The Speaker: "Notice has to be given. After the notice is received, the matter is before the body, and anybody who voted on the prevailing side can give the notice. Otherwise one person could preclude the body wanting to reconsider a measure."

#### RECONSIDERATION

The Speaker stated the question before the House to be the final passage of Engrossed Senate Joint Resolution No. 109.

Mr. Charette demanded an oral roll call, and the demand was sustained.

The Speaker instructed the Clerk to call the roll.

#### MOTION

Mr. Kraabel moved that the rules be suspended and Engrossed Senate Joint Resolution No. 109 be returned to second reading for the purpose of amendment.

## RULING BY THE SPEAKER

The Speaker: "The Speaker instructed the Clerk to call the roll, and the roll call technically has begun."

## PARLIAMENTARY INQUIRY

Mr. Pardini: "Would you please state for the body what they are voting on, Mr. Speaker?"

The Speaker: "The measure before us is Engrossed Senate Joint Resolution No. 109. It is on final passage. The vote 'yea' means you are for the income tax measure. The vote 'nay' means you are against it."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Joint Resolution No. 109, and the resolution failed to pass the House by the following vote: Yeas, 61; nays, 37; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Jastad, Johnson, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, Moon, North F., North L., O'Brien, Paris, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hurley, Juelling, Julin, Kalich, Kelley, Kopet, Kraabel, Kuehne, Leckenby, May, McCormick, Morrison, Nelson, Newhouse, Pardini, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Zimmerman.

Engrossed Senate Joint Resolution No. 209 having failed to receive the constitutional majority was declared lost.

## MOTIONS

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

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 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.

MOTION

On motion of Mr. Charette, the House adjourned until  
10:00 a.m., Tuesday, April 10, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## THIRTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 10, 1973.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Hoggins and Smith who were excused.

Mr. O'Brien assumed the Chair.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend William Treacy of St. Michael's Catholic Church of Olympia.

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

The Speaker assumed the Chair.

## MOTION

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

## RESOLUTION

HOUSE RESOLUTION NO. 73-71, by Representatives Bausch and Hendricks:

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 7th;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, 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 House, 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 engraved copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Captain and Mrs. Writer and their children, and to Mr. and Mrs. Joe Writer.

Mr. Bausch moved adoption of the resolution.

Representatives Bausch and Hendricks spoke in favor of the resolution, and the resolution was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House Air Force Captain Larry Writer and requested that Representatives Bausch and Hendricks conduct him to a place on the rostrum.

The Speaker recognized in the south gallery Captain Writer's wife Molly, his mother Mary Lou, and his sister Cathy Dahl, and asked them to stand and be recognized.

The Speaker: "Larry, all of us in the House of Representatives know how hard your mother, your wife and your sister worked on behalf of your return. We are very happy that it was successful and that you are back with us. Larry, on behalf of the House of Representatives, I won't attempt to improve on the resolution which just plain says 'thank you.' We don't know how else to say it other than we are very proud of you, and we are very proud to give you this small token of our esteem."

Captain Larry Writer: "I would like to thank each and every one of you. I feel very, very honored to be presented with this resolution. I will accept it not only for myself, but, as was mentioned earlier, for those men who were not as fortunate as I--for those who will not be able to come back.

"There is one thought I would like to leave with you, and that is: When I came back, somebody asked, 'How does it feel to be back in the land of the free, where there is true freedom, again?' I've tried to think of some way of expressing this to all of you, but you can't really appreciate what freedom is until you have had it taken away from you. But you people out here are the ones who

represent the people, and the freedom, and the ideals for which I fought and the reasons I wear the uniform that I wear now so proudly. I would like to thank each and every one of you for being who you are and what you are. Thank you very much for this resolution. It means a great deal to me. Thank you--it's great to be home."

Representatives Bausch and Hendricks escorted Captain Writer from the rostrum.

#### MOTION

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

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1115, by Representatives Smythe, Julin, Hoggins, Patterson, Bauer, Matthews, Wilson, Leckenby and Tilly:

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 1971 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.

To Committee on Ways and Means - Revenue.

#### MOTION

Mr. Smythe moved that the Committee on Ways and Means - Revenue be relieved of HOUSE BILL NO. 1115, and that the bill be placed on today's second reading calendar.

Mr. Smythe spoke in favor of the motion, and Mr. Bagnariol spoke against it.

#### POINT OF ORDER

Mr. Pardini: "Mr. Bagnariol is not speaking to the motion before us."

The Speaker: "I think it is procedural whether or not the bill has had a hearing. Mr. Bagnariol, would you confine your remarks to the procedural matter of whether or not this bill should be placed on the second reading calendar."

Mr. Bagnariol concluded his remarks.

Mr. Moon spoke in opposition to the motion by Mr. Smythe.

The motion was lost.

#### REPORTS OF STANDING COMMITTEES

April 9, 1973

SENATE BILL NO. 2790, Prime Sponsor: Senator Ridder, setting the amount of forest fire protection assessments, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 14 after "exceed" strike all the matter down to and including the period following "biennium))" on page 2, line 1 and insert 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 ((1974)) 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."

Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Conner, Gilleland, Hansen, Hansey, Haussler, Kalich, Kilbury, Tilly.

#### MOTION

On motion of Mr. Thompson, the rules were suspended and Senate Bill No. 2790 was advanced to second reading.

April 9, 1973

SENATE BILL NO. 2918, Prime Sponsor: Senator Peterson (Lowell), 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 Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Conner, Gilleland, Hansen, Hansey, Haussler, Kalich, Kilbury, Tilly.

#### MOTION

On motion of Mr. Thompson, the rules were suspended and Senate Bill No. 2918 was advanced to second reading.

April 9, 1973

HOUSE BILL NO. 419, Prime Sponsor: Representative Bagnariol, implementing law relating to the state teachers' retirement system, reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Blair, Brown, Charette, Chatalas, Curtis, Ehlers, Erickson, Gaspard, Goltz, Hansey, Hoggins, Hurley, Kilbury, King, Luders, Moon, Morrison, Newhouse, North (Frances), Polk, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams.



MOTION

On motion of Mr. Thompson, the rules were suspended and House Bill No. 419 was advanced to second reading.

April 9, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2104, Prime Sponsor: Senator Odegaard, adopting the budget for certain state agencies, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Bausch, Charette, Chatalas, Erickson, Gaspard, Goltz, Hurley, Kilbury, King, Luders, Moon, Newhouse, North (Frances), Pardini, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams.

MOTION

On motion of Mr. Thompson, the rules were suspended and Engrossed Substitute Senate Bill No. 2104 was advanced to second reading.

April 6, 1973

ENGROSSED SENATE BILL NO. 2490, Prime Sponsor: Senator Durkan, granting victims of crime compensation under certain conditions, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendments by the Committee on Social and Health Services:

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 remainings sections consecutively

On page 8, line 18 of the engrossed and printed bills, after "through" strike "17" and insert "18"

Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Blair, Brown, Curtis, Ehlers, Gaspard, Hansey, Hoggins, Kopet, Smith, Valle, Van Dyk, Warnke.

MOTION

On motion of Mr. Thompson, the rules were suspended and Engrossed Senate Bill No. 2490 was advanced to second reading.

April 4, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2740, Prime Sponsor: Senator Donohue, adopting the budget for the institutions of higher education and the community colleges, 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. 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.....\$ 140,652,287

General Fund Appropriation: For salary increases in addition to any other increases authorized by chapter ...

(SSB 2854), Laws of 1973 1st ex.  
 sess. for faculty and exempt  
 personnel.....\$ 8,191,246  
 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 increases 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

NEW SECTION. Sec. 4. FOR THE EASTERN WASHINGTON

STATE COLLEGE

General Fund Appropriation: PROVIDED, 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 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

NEW SECTION. Sec. 5. FOR THE CENTRAL

WASHINGTON STATE COLLEGE

General Fund Appropriation: PROVIDED, 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 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

NEW SECTION. Sec. 6. FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation: PROVIDED, 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.....\$ 10,474,509

General Fund Appropriation: For salary increases in addition to any other increases authorized by chapter ... (SSB 2854), Laws of 1973 1st ex. sess. for faculty and exempt personnel.....\$ 355,556

NEW SECTION. Sec. 7. FOR THE WESTERN WASHINGTON STATE COLLEGE

General Fund Appropriation.....\$ 25,530,776

General Fund Appropriation: For salary 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

NEW SECTION. Sec. 8. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

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: PROVIDED, 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: PROVIDED, That none of these moneys shall be expended for the training of personnel: PROVIDED, That \$900,000 of this appropriation shall be administered by the State Board and used exclusively for disadvantaged programs: PROVIDED, That Olympia Vocational-Technical Institute shall not become a comprehensive community college and shall offer only those courses essential to vocational-technical education.....\$ 131,743,494

General Fund Appropriation: PROVIDED, 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 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.....\$

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 institution 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. 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. 26. 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."

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Bausch, Charette, Chatalas, Ehlers, Erickson, Gaspard, Goltz, Hurley, Kilbury, Luders, North (Frances), Sawyer, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams.

#### MOTION

On motion of Mr. Thompson, the rules were suspended and Engrossed Substitute Senate Bill No. 2740 was advanced to second reading.

April 4, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2803, Prime Sponsor: Senator Lewis (Harry), adopting a budget for the superintendent of public instruction, 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. 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 any 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, grades 7-12, an added -- .3; 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; one-quarter of 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 1971-73 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), an 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: PROVIDED, That

it is the intent of the Legislature that up to \$87,664,918 be made available to the Superintendent of Public Instruction to be allocated for the school years 1973-74 and 1974-75 to local school districts to be employed exclusively for the purpose of maintaining previously granted salary increases granted to certificated and classified personnel during the 1969-71 biennium and such funds shall be distributed during 1973-74 and 1974-75 on the basis of each district's average 1968-69 average certificated salary level and average classified salary level improved by the average increase granted from state funds in 1969-70 and improved by the additional average increase granted from state funds in 1970-71 in order to fund the maintenance of the improved level throughout 1973-75: PROVIDED FURTHER, That the Superintendent of Public Instruction shall distribute these funds in accordance with rules and regulations to be established to carry out the intent of the Legislature for the distribution of the funds contained in this appropriation including that the calculations shall be made utilizing only average base salaries exclusive of extra stipends.....\$ 463,918,054

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: PROVIDED, 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: PROVIDED, 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: PROVIDED, 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 operating 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."

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Bausch, Charette, Chatalas, Ehlers, Erickson, Gaspard, Goltz, Hurley, Kilbury, Luders, North (Frances), Sawyer, Smith, Sommers, Thompson, Valle, Var Dyk, Warnke, Williams.

#### MOTION

On motion of Mr. Thompson, the rules were suspended and Engrossed Substitute Senate Bill No. 2803 was advanced to second reading.



April 9, 1973

SENATE BILL NO. 2805, Prime Sponsor: Senator Sandison, authorizing bonds for capital improvements at institutions of higher education, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Bausch, Brown, Charette, Ehlers, Erickson, Gaspard, Hansey, Hoggins, Kilbury, King, Kopet, Morrison, North (Frances), Smith, Sommers, Thompson, Van Dyk, Warnke, Williams.

MOTION

On motion of Mr. Thompson, the rules were suspended and Senate Bill No. 2805 was advanced to second reading.

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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2040 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2040, and the bill passed the House by the following vote: Yeas, 72; nays, 22; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Conner, Curtis, Eikenberry, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wjahn, and Mr. Speaker.

Voting nay: Representatives Bender, Blair, Bluechel, Brown, Charnley, Clemente, Cunningham, Douthwaite, Ehlers, Erickson, Johnson, Kopet, Kraabel, Lysen, Matthews, North L., Pardini, Pullen, Shinpoch, Williams, Wilson, Zimmerman.

Not voting: Representatives Hoggins, Julin, Moon, Smith.

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. 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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2075 was placed on final passage.

Mrs. McCormick spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2075, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hoggins, Julin, Moon, Smith.

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.

ENGROSSED SENATE BILL NO. 2098, by Senators Bottiger, Newschwander and Donohue:

Permitting county treasurers to invest in certain securities.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2098 was placed on final passage.

Mr. Haussler spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2098, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Newhouse.

Not voting: Representatives Hoggins, Moon, Smith.

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. 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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2139 was placed on final passage.

Mrs. Wojahn spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2139, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Julin,

Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hoggins, Moon, Smith.

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.

SENATE BILL NO. 2288, by Senators Woody, Clarke and Van Hollebeke:

Repealing records deposit requirement.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third and Senate Bill No. 2288 was placed on final passage.

Mr. Knowles spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2288, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nays: Representative Pullen.

Not voting: Representatives Hoggins, Moon, Smith.

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.

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.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal for twentieth day, Ex. Sess., March 28, 1973.)

The bill was read the second time.

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

On motion of Mr. Conner, the rules were suspended, the second reading considered the third and Engrossed Senate Bill No. 2311 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2311 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hoggins, Kopet, Moon, Nelson, Newhouse, Smythe.

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.

The Speaker called on Mr. O'Brien to preside.

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 second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third and Engrossed Senate Bill No. 2453 was placed on final passage.

Mr. Haussler spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2453, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cunningham, Eng, Kraabel.

Not voting: Representatives Moon, Smythe.

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. 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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third and Senate Bill No. 2515 was placed on final passage.

Mr. Gaspard spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2515, and the bill passed the House by the following vote: Yeas, 91; nays, 4; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette,

Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Kilbury, Lysen, Valle, Warnke.

Not voting: Representatives Anderson, Douthwaite, Moon.

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.

ENGROSSED SENATE BILL NO. 2524, by Senator Twigg:

Making certain changes in the laws relating to insurance.

The bill was read the second time.

Mr. Douthwaite moved adoption of the following amendment by Representatives Douthwaite, Charnley and Williams:

On page 6, section 4, line 3 following "renew" insert "however, no contract of insurance subject to RCW 48.18.291 shall be canceled except for suspension or revocation of the license of the principal operator to operate a motor vehicle, or failure to pay the premium for such policy after reasonable demand therefor"

Mr. Douthwaite spoke in favor of the amendment and Mr. Bagnariol spoke against it.

Mr. Douthwaite spoke again in favor of the amendment, and Mr. Bagnariol spoke again in opposition to it.

Representatives Douthwaite and Ehlers spoke in favor of the amendment.

The amendment was not adopted.

Mr. Douthwaite moved adoption of the following amendment by Representatives Douthwaite, Charnley and Williams:

On page 7, section 4, line 15 insert "(4) Any violation of subsection (1) of this section shall be an unfair practice, within the meaning of RCW 43.30.010 as now or hereafter amended."

Mr. Douthwaite spoke in favor of the amendment.

The amendment was lost on a rising vote.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third and Engrossed Senate Bill No. 2524 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2524, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Lysen, Moon, Morrison, Newhouse.

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. 2571, by Senators Walgren, Whetzel and Clarke:

Increasing the loan limits of member institutions of industrial development corporations.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal for twentieth day, Ex. Sess., March 28, 1973.)

The bill was read the second time.

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

On motion of Mr. Conner, the rules were suspended, the second reading considered the third and Senate Bill No. 2571 as amended by the House was placed on final passage.



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

POLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2571 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Juelling, Moon.

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.

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

The Speaker called the House to order.

MOTION

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

MESSAGES FROM THE SENATE

April 9, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2678,

ENGROSSED SENATE BILL NO. 2825,

SENATE BILL NO. 2846,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 9, 1973

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2897,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 9, 1973

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 51,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED 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 29.82.015, chapter 9, Laws of 1965 and RCW 29.82.015; and creating a new section.

To Committee on Constitution and Elections.

ENGROSSED 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.

To Committee on Natural Resources.

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.

To Committee on State Government.

SUBSTITUTE SENATE BILL NO. 2897, by Committee on Financial Institutions (Originally sponsored 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.

To Committee on Financial Institutions.

MOTION

On motion of Mr. Charette, the House recessed until 2:15 p.m.

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AFTERNOON SESSION  
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The House was called to order at 2:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

MESSAGES FROM THE SENATE

April 10, 1973

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2153,

SENATE BILL NO. 2326,

SUBSTITUTE SENATE BILL NO. 2365,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 9, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 736,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 10, 1973

Mr. Speaker:

The President 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.

Bill Gleason, Assistant Secretary.

The Speaker assumed the Chair.

#### MOTIONS

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

Mr. Thompson moved that the House immediately consider ENGROSSED SUBSTITUTE SENATE BILL NO. 2346.

The motion was carried.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2346, by Committee on Ways and Means (Originally sponsored by Senators Durkan, Atwood, Donohue and Murray - by Executive request):

Limiting property tax levies.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendment see Journal for thirtieth day, Ex. Sess., April 7, 1973.)

The bill was read the second time.

#### MOTIONS

Mr. Randall moved that the committee amendment be not adopted.

Mr. Pardini moved that the committee amendment be adopted.

Mr. Pardini spoke in favor of the committee amendment, and Mr. Randall spoke against its adoption.

Mr. Pardini spoke again in favor of the adoption of the committee amendment, and Mr. Randall spoke again in opposition of it.

#### PARLIAMENTARY INQUIRY

Mr. Morrison: "Mr. Speaker, could we leave the question of the committee amendment before us, and have the amendment which is being proposed as the large version presented as a substitute amendment, and still not be able to amend it by presenting amendments to the amendment?"

The Speaker: "Would you state that again?"

Mr. Morrison: "If the amendment that is being proposed and spoken to by Representative Randall is left before us and a substitute amendment proposed, could not that substitute amendment then be amended by the body to include the one hundred and six percent provision which he is referring to?"

The Speaker: "No, it is our understanding that if you pass the committee amendment, then the other would be an amendment to the amendment, and we are only allowed to amend an amendment once. I think Representative Randall's point is well taken that you would have to vote down the entire substitute amendment before you could get to the one hundred and six percent."

Representatives Newhouse and Bagnariol spoke against adoption of the committee amendment to Engrossed Substitute Senate Bill No. 2346, and Representatives Sommers and Pardini spoke in favor of it.

POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Newhouse, as I recall when we were debating House Bill No. 686, you made some statements (or someone on the floor made some statements) as to how much money would be saved by industry through the reduction in property tax. I understand that if we adopt the substitute amendment, that this will be substantially the same as we did amend House Bill No. 686. I wonder if we shouldn't review that."

Mr. Newhouse: "This has no direct relation to House Bill No. 686, Mr. Leckenby, because House Bill No. 686, as amended, put all taxing districts under the ninety percent level which would have reduced taxes considerably more than the ninety percent amendment which Mr. Randall is proposing. But this one which Mr. Randall is proposing would provide about \$20 million per year less revenue for cities, counties and road districts, divided this way: A little over \$8 million less for cities; almost \$8 million less for counties; about \$4 million less for road districts. And the converse of that, of course, is that when you get less money for cities, counties and road districts, in total you are saving the taxpayers of the state, I suppose, just a little over \$20 million in a year."

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

POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Randall, in order to clarify what we are voting on, is it not true that the committee amendment, simply assumes that all county assessors are assessing at full value, and then simply turns the mills into dollars, with the exception that eight mills go to schools. But it simply turns the mills into dollars, and that is all it does. Isn't that correct?"

Mr. Randall: "Yes, that is correct."

Mr. Flanagan spoke in favor of adoption of the committee amendment.

POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Cunningham.

Mr. Cunningham: "Representative Bagnariol, we have two rather lengthy amendments on our desks. The first one is the House committee amendment--the blue one. The other is the 124-page, Randall-Bagnariol amendment. Which of these two amendments will reduce the tax burden to the taxpayers?"

Mr. Bagnariol: "This document by Representatives Randall and Bagnariol will reduce the tax burden to taxpayers."

Mr. Cunningham: "Thank you. One other question: Do either of these bills adversely affect the contribution to school support?"

Mr. Bagnariol: "Not as I read them. We have met with the Superintendent of Public Instruction and people from his office, and they agree with this document."

POINT OF INQUIRY

Mr. Perry: "I think it is significant what Mr. Flanagan said, if you listened to him very carefully. He said that the committee amendment as it came out, would, in effect, perpetuate those inequities that we have now. Will you restate what you said?"

Mr. Flanagan: "I said that all the committee amendment does is just keep everything the way it is, and then change the mills into dollars. But the substitute amendment goes through a somewhat complicated procedure whereby you take ninety percent for cities and counties, one hundred percent for junior taxing districts, ninety percent for schools--but then on the school part of it you collect the 7.2 mills (in other words ninety percent of eight mills) at the state level, and then you average that out per pupil and add it to the per pupil amount which is distributed statewide through the school formula. This naturally changes the school distribution. And without seeing any runs, I would assume it would have an adverse effect on those school districts that have high valuations per pupil, above the state average valuation per pupil. For instance, if you had a school district with a \$50,000 valuation per pupil, and the average statewide valuation, say, was \$14,000, if you take this and average it out and divide it equally in dollars per pupil, then naturally the district with the high valuation per pupil is going to be on the losing end of the proposition. So I think that it is not worth going into this complicated process, and trying to go through all this, for as little change as we are making in the whole thing here."

Representatives Perry and Beck spoke against adoption of the committee amendment.

POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Conner.

Mr. Conner: "There has been a lot of discussion about funny money and assumed money. What would this amendment do for the school districts, or to the school districts, relative to this assumed money?"

Mr. Randall: "In answer to that, I think I can answer it in something other than the typical 'Flanagan-ese' language we just heard. This proposed amendment, behind the blue one, which incidentally is of shorter length than the blue one--154 pages against 124 pages--eliminates that assumed money problem that is prevalent throughout the state. The leeway money and the assumed money are a constant problem in school financing. It is not a bit complicated. \$10.00 allocation versus \$9.00 allocation shouldn't fool anybody. It is not a difficult thing. The reason, we all know, it is so thick is because we have one or two references on each page, making those changes. If that is complicated, I'm a chicken. This effectively, I think most of us know, eliminates that assumed money factor. And in doing so (I'm talking about the state level) you do have to lower other taxing districts or it will be over the one percent mandated by SJR 1. It's got to come down if you are going to fund schools equally, and that is what this does."

Representatives Bluechel and Hoggins spoke against adoption of the committee amendment.

ROLL CALL

The Clerk called the roll on the adoption of the committee amendment to Engrossed Substitute Senate Bill No. 2346, and the committee amendment was lost by the following vote: Yeas, 12; nays, 84; not voting, 2.

Voting yea: Representatives Flanagan, Haussler, Jastad, Julin, Kalich, Kilbury, Kopet, Kraabel, Nelson, North P., Pardini, Sommers.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Johnson, Juelling, Kelley, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Newhouse, North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hurley, Moon.

Mr. Randall moved adoption of the following amendment by Representatives Bagnariol and Randall:

On page 2, line 6 strike everything after the enacting clause and insert the following:

"Section 1. Section 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~~) one dollar 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 82-04-294 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:

FORMATION OF METROPOLITAN MUNICIPAL CORPORATION

((\*) 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 percent of the total number of votes cast within the area of said metropolitan municipal corporation at the last preceding state general election. Such general obligation bonds may be authorized in any total amount in one or more propositions and the amount of such authorization may exceed the amount of bonds which could then lawfully be issued. Such bonds may be issued in one or more series from time to time out of such authorization but at no time shall the total general indebtedness of the metropolitan municipal corporation exceed five percent of the value of the taxable property therein, as the term 'value of the taxable property' is defined in RCW 39.36.015. Both principal of and interest on such general obligation bonds may be made payable from annual tax levies to be made upon all the taxable property within the metropolitan municipal corporation in excess of the ((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 (~~489; Laws of 1967 [chapter 36.93 RCW]~~) 36.93 RCW all annexations shall be subject to review except as provided for in (~~section 44 of chapter 489; Laws of 1967 [RCW 36.93.440]~~) 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) property tax revenues for any service to be provided in the unincorporated area of the county notwithstanding any other provision of law, including chapter 36.82 RCW and RCW 84.52.050 and 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 fourth-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 47)) 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 out-standing 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 47)) 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 36.33.22C 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 fire fighters 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 canvas 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 52.16.12C 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. 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 same 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))~~ eighteen cents an acre per year on lands west of the summit of the Cascade mountains and ~~((seven))~~ fourteen 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, chapter 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 without any deductions for any indebtedness owed including rentals to be paid. 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 the 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 84.48.060 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 84.41.04C, 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 1974 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 1974 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 redemption; 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 84.54.0207)) a regular property tax levy in an amount equal to that which would be produced by a levy of ((two mills)) fifty 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)) to the state equalized value 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 74.04.156 and 84.52.059, 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 where in 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 roll 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 1967, 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 value 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 adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue 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 motion of Mr. Randall, the following amendment to the amendment was adopted:

On page 117 of the amendment, after section 134, beginning on line 15 add a new section to read as follows:

"Sec. 135. Section 20, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.010 are each amended to read as follows:

Except as provided in RCW 84.55.020 through 84.55.050, the levy in ((1973)) 1974 and years subsequent thereto for a taxing district other than the state or a school district in any year shall be set so that the regular property taxes payable in the following year shall not exceed one hundred six percent of the amount of regular property taxes lawfully levied for such district in the highest of the three most recent years in which such taxes were levied for such district plus an additional dollar amount calculated by multiplying the increase in assessed value in that district resulting from new construction and improvements to property by the regular property tax levy rate of that district for the preceding year."

Renumber the remaining sections consecutively.

The amendment by Representatives Bagnariol and Randall, as amended, was adopted.

Mr. Randall moved adoption of the following amendment to the title:

On line 1 of the title after "taxation" strike the remainder of the title and insert: "; 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."

On motion of Mr. Randall the following amendment to the title amendment was adopted:

On page 123 of the amendment to Engrossed Substitute Senate Bill No. 2346, on line 2, after "RCW 84.54.020;" and before "amending" insert "amending section 20, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.010;"

The title amendment to Engrossed Substitute Senate Bill No. 2346 as amended by Representatives Bagnariol and Randall was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2346 as amended by the House, was placed on final passage.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "On page 8 of the amendment, it speaks to the fact that one hundred percent of the available revenues shall be available to the superintendent of public instruction, etc. Then there is some new language on page 8 which says notwithstanding this, '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.' Would you clarify--does that mean it is possible for the state then to support schools at only ninety-five percent of their present amount?"

Mr. Randall: "This in effect is a flooring wording. This says that any district that may be adversely affected by the equalization statute that we have now put into the allocation--in those few districts where they will be dropping down, the state will guarantee that there will be no less than ninety-five percent of the revenues that they would have otherwise received--in fact building in a flooring to protect them from a severe drop. I could show you some comparative runs to show where you have severe drops--one was Benge, I think, where the per pupil expenditure is just short of \$3,000 per student. Under the new formula or new allocation system it would have dropped to about \$1,300--a severe drop. I don't think any of us bleed for a district that is getting \$3,000 per student,

but this will hold them at ninety-five percent--costing the state a little more money in that respect. On the other hand, you should realize there are only six pupils in that district."

Representative Randall spoke in favor of passage of the bill, and Representatives Pardini, Haussler, Flanagan and Bluechel spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2346 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 13; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kelley, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Morrison, Newhouse, North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bluechel, Flanagan, Gaines, Hansen, Haussler, Kalich, Kilbury, Kopet, Kuehnle, Matthews, North F., Pardini, Sommers.

Not voting: Representatives Julin, Moon, Nelson.

Engrossed Substitute Senate Bill No. 2346 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Thompson moved that the House do now consider on second reading the following bills in the following order: HOUSE BILL NO. 498, HOUSE BILL NO. 419, ENGROSSED SENATE JOINT RESOLUTION NO. 103, ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 105, and SENATE BILL NO. 2309.

#### POINT OF INQUIRY

Mr. Kuehnle: "Mr. Speaker, I don't see House Bill No. 419 on any of the second reading calendars. Where did that come from?"



The Speaker: "That came from our moving the bills up to second reading this morning--when we were suspending the rules when they came out of Ways and Means - Appropriations Committee."

Mr. Kuehnle: "Did that come out of Rules today?"

The Speaker: "No, it came out of Ways and Means and as it was read in, the rules were suspended and it was advanced to second reading."

The motion by Mr. Thompson was carried.

#### SECOND READING

HOUSE BILL NO. 498, by Representatives Bagnariol and Shinpoch:

Adopting the operating budget.

#### MOTION

On motion of Mr. Shinpoch, Substitute House Bill No. 498 was substituted for House Bill No. 498, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 498 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 498 was placed on final passage.

Representatives Shinpoch and Kopet spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 498, and the bill passed the House by the following vote: Yeas, 89; nays, 6; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warneke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Cunningham, Eikenberry, Kuehnle, Lysen, Schumaker.

Not voting: Representatives Moon, Pardini, Smythe.

Substitute House Bill No. 498, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 419, by Representatives Bagnariol, Morrison and Ceccarelli (by Washington State Teachers' Retirement System request):

Implementing law relating to the state teachers' retirement system.

MOTION

On motion of Mr. Bagnariol, Substitute House Bill No. 419 was substituted for House Bill No. 419, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 419 was read the second time.

Mr. Morrison moved adoption of the following amendment by Representatives Morrison and Bagnariol:

On page 9, line 4 insert a new section to read as follows:

"NEW SECTION. Sec. 10. (1) It is the intent of the legislature that the Washington state teachers retirement system and the Washington public employees retirement system should consider merging no later than July 1, 1975, in such manner as shall be established by the legislature.

(a) In order to facilitate such merger, a Retirement System Merger Task Force is created. It shall be the duty and responsibility of this task force to make studies of and recommendations for the merger of these systems. These recommendations are to be submitted to the public pension commission, the legislative budget committee and the legislature, not later than the regular session of the legislature to be held in 1975.

(b) The members of the task force shall consist of the following persons:

1. Two representatives of employee organizations representing members of the public employees' retirement system, such representatives to be appointed by the Governor;

2. Two representatives of employee organizations representing members of the teachers' retirement system, such representatives to be appointed by the Governor;

3. Two board members of the public employees' retirement system, one representing state government management and the other representing local government management, both to be appointed by the chairman of the board;

4. Two members of the teachers' retirement system board, both to be appointed by the chairman of the board;

5. Two members of the Senate appointed by the President of the Senate and to include a representative of

each caucus;

6. Two members of the House of Representatives appointed by the Speaker of the House and to include a representative of each caucus.

The public pension commission shall perform the administrative duties of this task force. The members shall receive such travel and per diem allowances as are authorized for state employees, said allowances to be paid by the organization or agency or body the member represents.

(2) The task force shall address itself to:

1. Proposed plans for funding the merged systems on a uniform basis without jeopardizing the present fund level of the public employee retirement system;

2. Equalization of benefits, both retirement and disability;

3. Eligibility requirements and provisions for transfer from prior systems into the proposed merged system;

4. Board membership which will reflect the employee and governmental employer interests involved;

5. Retirement allowance options offered a member at the time of retirement;

6. Contribution rates of both employees and governmental employers;

7. The age of compulsory retirement;

8.- Provision of cost of living increases after retirement and recommendations for financing such increases;

9. Other desirable merger provisions as are suggested by the Touche-Ross Report being prepared for the legislative budget committee."

Renumber the remaining sections consecutively

Mr. Morrison spoke in favor of the amendment.

The amendment by Representatives Morrison and Bagnariol was adopted.

Mrs. Hurley moved adoption of the following amendment:

On page 9 after section 12 add a new section as follows:

"NEW SECTION. Sec. 13. There is added to chapter 41.32 RCW a new section to read as follows:

Notwithstanding the provisions of RCW 41.32.240, any person who has left employment within the state for any reason at least fifteen years prior to the effective date of this section with at least fifteen years of service credit at the time of such withdrawal and who because of physical incapacibilities is no longer employable as a teacher within this state may be admitted into the system upon acceptance by the board and making such reasonable payments as the board shall determine necessary therefor. Said application to be submitted before January 1, 1974."

Mrs. Hurley spoke in favor of the amendment.

The amendment by Mrs. Hurley was adopted on a rising vote.

Mr. Smythe moved adoption of the following amendment by Representatives Smythe and Kopet:

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 basic service pension of one hundred dollars per annum, and (3) 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 as a matter of contractual right to receive any new or increased benefits resulting from (a) the enactment of legislation creating a new retirement system or 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."

Mr. Smythe spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

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

Mr. Kopet spoke in favor of the amendment, and Mr. Smythe spoke again in favor of its adoption.

#### POINT OF INQUIRY

Mr. Smythe yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Smythe, as I read new section 2, you are saying that any member of the teachers' retirement system who decides to retire after the effective date of this act, which could be anytime in the future, would receive under item (b) any benefit liberalizations

which were ever made to the teachers' retirement system. Under the decisions made by the court which says once you offer something of this nature, as a contractual right it can never be withdrawn, are we not jeopardizing very seriously the legislature's right to improve this program without including anyone who is currently on the job?"

Mr. Smythe: "Would you state the last half of that again, please?"

Mr. Morrison: "Let me state it just a little differently. As we merge the systems, there is no question that we may want to modify the benefits program. However we may want to modify it for future retirees or persons at a future date. I am questioning now, under decisions we have from the court that when you say any member of the teachers' retirement system who decides to retire after the effective date of this act (we are making a promise) shall receive--always be eligible for any benefit liberalizations of the teachers' retirement system, are we not in fact getting ourselves into very deep and serious trouble with this provision?"

Mr. Smythe: "Well are you considering the closing line on that which says 'This section shall not be effective after June 30, 1974'?"

Mr. Morrison: "All right, thank you. That answers the question in a different manner than I expected. However I would point out that I see no way that we can guarantee a merger of this system, nor will we be in any better position on June 30, 1974, to grant the increases. Thank you for your answer, Representative Smythe."

Mr. Morrison spoke against adoption of the amendment by Representatives Smythe and Kopet.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Smythe and Kopet to Substitute House Bill No. 419, and the amendment was lost by the following vote: Yeas, 9; nays, 87; not voting, 2.

Voting yea: Representatives Amen, Flanagan, Gilleland, Hayner, Kopet, Kuehnle, Pardini, Polk, Smythe.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Curtis, Moon.

Mr. Cunningham moved adoption of the following amendment:

On page 3, section 2, line 4 after "than" and before "dollars" strike "five" and insert "((five)) six"

Mr. Cunningham spoke in favor of the amendment, and the amendment was adopted.

Mr. Flanagan moved adoption of the following amendment:

On page 9, line 12 insert a new section to read as follows:

"NEW SECTION. Sec. 13. The retirement system merger task force created by section 10 of this 1973 act is directed to address itself in its studies and to make a determination of the appropriation required to fund the combined retirement systems on a forty year amortization basis at the level of benefits now existing within the Washington public employees' retirement system."

Representatives Flanagan and Morrison spoke in favor of the amendment.

The amendment by Mr. Flanagan to Substitute House Bill No. 419 was adopted.

Substitute House Bill No. 419 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 419 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 419, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Smythe.

Not voting: Representatives Moon, Pardini.

Engrossed Substitute House Bill No. 419, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendments, see Journal for fifty-first day, February 27, 1973.)

The resolution was read the second time.

On motion of Mr. King, the committee amendment to page 1, line 13 was not adopted.

Mr. King moved adoption of the committee amendment to page 2, line 2.

Mr. King spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. King yielded to question by Mr. Polk.

Mr. Polk: "Representative King, from the language of this amendment, are you saying that the only item of business which the legislature would have before it would be the consideration of the bills vetoed after the general adjournment?"

Mr. King: "That is correct."

Mr. Polk: "So no other business could come before that body?"

Mr. King: "The only way business could come before the body at that time would be if the Governor should also call a special session to coincide with it. But if the legislature were to convene itself under this constitutional amendment, it could be only to consider vetoes. It says 'in order to reconsider any bills vetoed after the general adjournment'."

#### POINT OF INQUIRY

Mr. King yielded to question by Mr. Julin.

Mr. Julin: "Could there be one of these special sessions for each bill vetoed?"

Mr. King: "I would think not. In reading the language, it says 'not to exceed five days duration, in order to reconsider any bills vetoed after the general adjournment.' I think you would read that to mean the five-day limit would apply for all the bills that have been vetoed."

The committee amendment to page 2, line 2 was adopted.

On motion of Mr. King, the committee amendment to page 2, line 8 was not adopted.

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

On page 1, line 14 after "bill" and before "it" insert "with any section or sections to which he objected, or a majority of the members present shall agree to pass the bill with any item or items to which he objected, then"

On page 1, line 17, after "members present" and before the comma insert "as to any section or sections to which he objected, or by a majority of the members present as to any item or items to which he objected, then"

On page 2, beginning on line 3 strike everything down to and including "he shall" on line 10 and insert "sections or items, he may object to one or more sections or items while approving other portions of the bill. In such case he shall"

#### MOTION

On motion of Mr. King, the House deferred further consideration of Senate Joint Resolution No. 103, and the resolution was placed at the bottom of today's second reading calendar.

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.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendment see Journal for twenty-ninth day, Ex. Sess., April 6, 1973.)

The resolution was read the second time.

Mr. King moved adoption of the committee amendment.

Representative King spoke in favor of adoption of the committee amendment, and Representatives Brown and Swayze spoke against adoption of the amendment.

The committee amendment was adopted.



Mr. Swayze moved adoption of the following amendment:

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) 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.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendments to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

Mr. Swayze spoke in favor of the amendment, and Mr. King spoke against it.

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

Mr. Swayze spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Swayze to Engrossed' Substitute Senate Joint Resolution No. 105, and the amendment was lost by the following vote: Yeas, 41; nays, 56; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative North F.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Joint Resolution No. 105 as amended by the House be placed on final passage.

The motion was lost on a rising vote.

The resolution was passed to the Committee on Rules for third reading.

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 and passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Conner, all bills passed by the House this afternoon were ordered transmitted immediately to the Senate.

On motion of Mr. Thompson, the House advanced to the seventh order of business for the third reading of Senate bills.

## THIRD READING

ENGROSSED SENATE BILL NO. 2306, as amended by the House, by Senators Woody, Atwood and Van Hollebeke:

Authorizing legislative authority of a county to employ an attorney for legal services.

## MOTION

On motion of Mr. Thompson, the rules were suspended and Engrossed Senate Bill No. 2306 as amended by the House was returned to second reading for the purpose of amendment.

## SECOND READING

On motion of Mr. Julin, the following amendment was adopted:

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"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2306 as amended by the House was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2306 as amended by the House, and the bill passed the House by the following vote: Yeas, 63; nays, 32; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hendricks, Jastad, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Brown, Cunningham, Curtis, Flanagan, Freeman, Hansey, Hayner, Hoggins, Hurley, Johnson, Jueling, Julin, Kuehnle, Leckenby, Lysen, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Pullen, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representatives Eikenberry, Polk, Smythe.

Engrossed Senate Bill No. 2306 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

Mr. Thompson moved that the House revert to the sixth order of business for the second reading of bills beginning with ENGROSSED SENATE BILL NO. 2656.

The motion was carried.

## SECOND READING

ENGROSSED 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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2656 was placed on final passage.

Mr. Bagnariol spoke in favor of the bill.

The Speaker called on Mr. O'Brien to preside.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2656, and the bill passed the House by the following vote: Yeas, 88; nays, 3; not voting, 7.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Douthwaite, Lysen.

Not voting: Representatives Amen, Curtis, Eikenberry, Julin, Morrison, Polk, Swayze.

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.

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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Joint Memorial No. 102 was placed on final passage.

Mr. Parker spoke in favor of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 102, and the memorial passed the House by the following vote: Yeas, 87; nays, 2; not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Kuehnle, Lysen.

Not voting: Representatives Cunningham, Curtis, Eikenberry, Julin, Moon, Morrison, Pardini, Polk, Swayze.

Senate Joint Memorial No. 102, having received the constitutional majority, was declared passed.

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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2025 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2025, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Portson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Curtis, Julin, Moon, Morrison, Pardini, Swayze.

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.

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

Allowing judges retirement credit for pro tempore service.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal for fifty-third day, March 1, 1973.)

The bill was read the second time.

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

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2084 as amended by the House was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2084 as amended by the House, and the bill passed the House by the following vote: Yeas, 74; nays, 17; not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley,

Chatalas, Clemente, Conner, Cunningham, Ellis, Flanagan, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Newhouse, North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bausch, Douthwaite, Ehlers, Eng, Erickson, Fortson, Freeman, Goltz, Hansen, Lysen, Matthews, Nelson, North F., Pullen, Schumaker, Smythe, Zimmerman.

Not voting: Representatives Curtis, Eikenberry, Julin, Moon, Morrison, Pardini, Swayze.

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.

ENGROSSED SENATE BILL NO. 2317, by Senator Matson:

Changing penalties under Washington clean air act.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendment, see Journal for twenty-seventh day, Ex. Sess., April 4, 1973.)

The bill was read the second time.

On motion of Mr. Luders, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2317 as amended by the House was placed on final passage.

Mrs. Valle spoke against passage of the bill, and Mr. Garrett spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2317 as amended by the House, and the bill passed the House by the following vote: Yeas, 83; nays, 8; not voting, 7.

Voting yea: Representatives Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Ehlers, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Nelson, Newhouse, North F., North

L., O'Brien, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Thompson, Tilly, Van Dyk, Warnke, Williams, Wilson, Wjahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Bausch, Blair, Douthwaite, Erickson, Lysen, Parker, Valle.

Not voting: Representatives Curtis, Eikenberry, Julin, Moon, Morrison, Pardini, Swayze.

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.

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.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal for eleventh day, Ex. Sess., March 19, 1973.)

The bill was read the second time.

On motion of Mr. Beck, the committee amendments to page 1, line 24; page 4, line 29; and page 5, line 8 were adopted.

Mr. Beck moved adoption of the committee amendment to page 5, adding a new section 7.

Mr. Beck spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Beck yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I questioned this amendment in the Transportation Committee as to whether or not we were allowing real estate dealers to sell all kinds of highway property; that is, property which had been used by the highway commission. However, I believe at that time I was persuaded that it was only those properties which could not be sold by the usual bidding procedure. Would you clarify this please, Representative Beck?"

Mr. Beck: "Well the whole purpose and intent of the bill is that all these little old pieces of property, when the highway department comes along and acquires right-of-way for a highway--when they finish the highway there is usually some little old piece of property that is there, and in most cases it is useless by itself. It is only good to the adjacent property owner. The present procedure in disposing of this property is to advertise it and sell it at an auction. This bill will permit it. If there is no one that comes and bids for the property at the



auction, they may advertise the property for sale. A lot of times in advertising they will get someone to come and bid. They have to wait thirty days before they can accept it, and then if someone comes along and offers a higher price, then they have to sell that property to the highest bidder. What this permits us to do is give the highway department the option--they first have to advertise it at an auction--they first have to declare that it is unusable for the highway department. When they determine it is not necessary, then they advertise it for bids. If they get no bidders through an auction, then they advertise it for sale in the local papers through the regular legal process. If they get two or three bidders who want the property, then it allows them to negotiate for the highest bidder. Now we have put an amendment on there that says if there is any property in excess of \$10,000 it cannot be handled this way. They can't sell it at an auction. This last amendment allows us to put it in the hands of a real estate broker. Some of the members of the committee thought that if some good fast realtor there thought he could take this property and sell it he would be able to get more money for it. This is a good bill. It's just a little housekeeping bill to help the highway department dispose of an awful lot of property. We've got some 50,000 pieces of property around the state that we can't get rid of."

Mr. Douthwaite: "I think I gathered the answer to the question is 'yes,' that this can only go to a licensed real estate dealer in the event it will not be sold through the other normal processes."

Mr. Beck: "It can only go after they go through all the other processes."

The committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2378 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2378 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker,

Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barden, Berentson, Curtis, Eikenberry, Gaspard, Julin, Kelley, Morrison, Pardini, Swayze, Tilly.

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.

STATEMENT FOR THE JOURNAL

I want to go on record as voting "yes" on Engrossed Senate Bill No. 2378. Due to a malfunction of the machine, it did not register.

MARC GASPARD, 25th District.

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

Permitting cosmetologists to serve men and women.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-second day, Ex. Sess., March 30, 1973.)

The bill was read the second time.

On motion of Mrs. Wojahn, the committee amendment to page 3, line 7 was adopted.

Mrs. Wojahn moved adoption of the committee amendment to page 16, line 3.

Mrs. Wojahn spoke in favor of the amendment, and Mr. Ceccarelli spoke against it.

Representatives Wojahn and Kuehnle spoke in favor of the committee amendment.

The committee amendment was adopted.

Mr. Kuehnle moved adoption of the following amendments:

- On page 3, line 6 strike "mens"
- On page 13, line 32 strike "men's"
- On page 14, line 4 strike "men's"
- On page 14, line 5 strike "men's"
- On page 14, line 6 strike "male"
- On page 14, line 14 strike "men's"
- On page 14, line 16 strike "men's"
- On page 14, line 23 strike "men's"
- On page 14, line 25 strike "men's"
- On page 14, line 33 strike "men's"
- On page 15, line 1 strike "men's"
- On page 15, line 2 strike "men's"

On page 15, line 4 strike "men's"  
On page 15, line 5 strike "men's"  
On page 15, line 8 strike "male"  
On page 15, line 8 strike "men's"  
On page 15, line 15 strike "men's"  
On page 15, line 20 strike "men's"

Mr. Kuehnle spoke in favor of adoption of the amendments.

POINT OF ORDER

Mr. Charnley: "Thank you, Mr. Speaker. On Mr. Kuehnle's fifth amendment, page 14, line 6, strike 'male', I find no word 'male' on that line. I wonder if Mr. Kuehnle intends that particular one. I believe he intended line 11 on that particular amendment."

The Speaker (Mr. O'Brien presiding): "Mr. Charnley, your point is well taken. It would appear it was an error in the preparation of that amendment. It should be line 11 instead of line 6."

Mrs. Wojahn spoke against adoption of the amendments.

Mr. Kuehnle spoke again in favor of the amendments, and Mr. Ceccarelli spoke against their adoption.

POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "You stated you didn't want to bore us by reading the Attorney General's letter. Will you please bore me and read the letter?"

Mr. Ceccarelli read the following letter:

OFFICE OF THE ATTORNEY GENERAL  
SLADE GORTON, ATTORNEY GENERAL  
Temple of Justice  
Olympia, Washington 98504  
February 9, 1973

Honorable Dave Ceccarelli  
State Representative 34th District  
Legislative Building  
Olympia, Washington 98504

Cite as:  
AGLO 1973 No. 23

Dear Sir:

This is written in response to your recent letter requesting our opinion regarding the effect, if any, which legislative ratification of the equal rights amendment to the federal constitution will have on House Bill 267 dealing with cosmetologists.

Although your letter makes reference to the still pending proposal to amend the United States Constitution to prohibit governmental sex discrimination, we already have such a provision in our own state constitution. By their

approval of HJR No. 61 at the November 7, 1972, general election, the people of this state adopted an amendment to the Washington constitution which became effective on December 7, 1972, and reads as follows:

"Equality of rights and responsibility under the law shall not be denied or abridged on account of sex."

Thus, insofar as any laws passed by our own state legislature are concerned, ratification of the proposed federal equal rights amendment will, for all practical purposes, add nothing that doesn't already exist, as a matter of constitutional law, in this state at the present time.

Having identified this point, we next turn to the provisions of House Bill No. 267. Basically, this is an amendatory bill designed to replace the previous statutory designations of beauty culture and related terms with the single term "cosmetology," and to permit cosmetologists to serve both men and women.

We find nothing in this bill which, if enacted, would be in contravention of either HJR No. 61, supra, or the federal equal rights amendment, if ratified. In fact, unless at least so much of this bill as would permit cosmetologists to serve both men and women is adopted, it could well be argued that the presently existing version of chapter 18.18 RCW, under which beauty culturists may only practice haircutting on female persons, would be unconstitutional under both our state and the proposed federal equal rights amendments.<sup>1</sup>

We trust that the foregoing will be of some assistance to you.

Very truly yours,  
FOR THE ATTORNEY GENERAL  
/s/ PHILIP H. AUSTIN  
Deputy Attorney General

<sup>1</sup> C.f., Mains v. Board of Barber Examiners, 249 C.A. 2d 459, 57 Cal. Rptr 573 (1967).

Mr. Kuehnle spoke again in favor of the amendments, and Mr. Ceccarelli spoke again in opposition to their adoption.

Mr. Charnley demanded the previous question and the demand was sustained.

The amendments by Mr. Kuehnle were lost on a rising vote.

Mr. Kuehnle moved adoption of the following amendment:

On page 13, strike New Sections 10, 11, 12, 13, 14 and 15.

Renumber the remaining sections accordingly.

Mr. Kuehnle spoke in favor of the amendment, and Mr. Ceccarelli spoke against it.

The amendment was not adopted.

Mr. Blair moved adoption of the following amendments:

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"

At the request of Mr. Blair and with the consent of the House, the following amendment by Mr. Morrison was considered along with the amendments by Mr. Blair:

On page 13, section 9, line 9 after "~~((r))~~" strike all material down to and including "hair" on line 12.

Mr. Blair spoke in favor of the amendments, and Mr. Ceccarelli spoke against them.

Mr. Charette demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Charette, the House proceeded with business under the Call of the House.

#### MOTION

Mr. Charette moved that the Committee on Ways and Means - Revenue be relieved of HOUSE JOINT RESOLUTION NO. 37, and that it be placed on the second reading calendar to be considered immediately.

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

The Speaker called the House to order.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 51,  
HOUSE BILL NO. 617,  
HOUSE BILL NO. 685,  
HOUSE BILL NO. 705,  
SENATE BILL NO. 2153,  
SENATE BILL NO. 2326,  
SUBSTITUTE SENATE BILL NO. 2365.

The Speaker stated the question before the House to be the motion by Mr. Charette that the Committee on Ways and Means - Revenue be relieved of House Joint Resolution No. 37 and that it be placed on the second reading calendar to be considered immediately.

With the consent of the House, Mr. Charette withdrew his motion.

MOTION

Mr. Thompson moved that the House advance to the seventh order of business.

MOTION FOR RECONSIDERATION

Mr. Martinis, having given notice on the preceding day, moved that the House do now reconsider the vote by which ENGROSSED HOUSE BILL NO. 552 failed to pass the House.

The motion was carried on a rising vote.

RECONSIDERATION

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 552.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 552, and the bill passed the House by the following vote: Yeas, 53; nays, 45; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hurley, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shinoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Beck, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Erickson, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Juelling, Julin, Kopet, Kraabel, Leckenby, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

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.

STATEMENT FOR THE JOURNAL

I wish to have inserted in the House Journal that due to a malfunction of the voting machine, my vote on Engrossed House Bill No. 552 was recorded as "yes" when in reality I voted "no."

WILLIAM J. S. "BILL" MAY, 3rd District.

## STATEMENT FOR THE JOURNAL

Please insert in the Journal the following: Please change my vote on Engrossed House Bill No. 552 from "aye" to "nay" due to the fact that I inadvertently cast my vote in the affirmative.

FRANK J. WARNKE, 30th District.

## MOTION

On motion of Mr. Martinis, Engrossed House Bill No. 552 was ordered transmitted immediately to the Senate.

## MOTION FOR RECONSIDERATION

Mr. Charnley, having given notice on the preceding day, moved that the House do now reconsider the vote by which Engrossed House Bill No. 1026 failed to pass the House.

Mr. Curtis spoke against the motion and Mr. Van Dyk spoke in favor of the motion for reconsideration.

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

## ROLL CALL

The Clerk called the roll on the motion by Mr. Charnley to reconsider the vote by which Engrossed House Bill No. 1026 failed to pass the House, and the motion was carried by the following vote: Yeas, 60; nays, 38; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Johnson, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, North F., North L., O'Brien, Paris, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Berentson, Ceccarelli, Cunningham, Curtis, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hayner, Hendricks, Jastad, Juelling, Julin, Kalich, Kopet, Kuehnle, McCormick, Morrison, Nelson, Newhouse, Pardini, Parker, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Wilson, Wojahn, Zimmerman.

## RECONSIDERATION

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 1026.

Representatives Charnley, Charette and Valle spoke in favor of passage of the bill, and Representatives Ceccarelli and Pullen spoke against it.

#### PERSONAL PRIVILEGE

Mrs. McCormick: "Point of personal privilege, Mr. Speaker. I would like to inform Representative Valle that one other lady has spoken on this bill in the House--Representative Wojahn. Thank you."

Representatives Curtis and Kalich spoke against passage of the bill, and Representative Perry spoke in favor of it.

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill NO. 1026, and the bill passed the House by the following vote: Yeas, 64; nays, 34; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hoggins, Johnson, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Nelson, North F., North L., O'Brien, Paris, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Berentson, Ceccarelli, Curtis, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Juelling, Julin, Kalich, Kopet, Kuehne, McCormick, Morrison, Newhouse, Pardini, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Wojahn.

Engrossed House Bill No. 1026, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### THIRD READING

ENGROSSED SENATE BILL NO. 2544, as amended by the House, by Senators Durkan, Peterson (Ted) and Connor:

Providing for registration of contractors by the department of labor and industries.

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

Mrs. Wojahn spoke in favor of passage of the bill.



ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2544 as amended by the House, and the bill passed the House by the following vote: Yeas, 71; nays, 27; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Paris, Parker, Perry, Rabel, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hendricks, Jueling, Julin, Kopet, Kuehne, Matthews, Morrison, Newhouse, Pardini, Patterson, Polk, Pullen, Schumaker, Swayze, Tilly, Zimmerman.

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.

MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

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

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Wednesday, April 11, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## THIRTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 11, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Moon who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend William Treacy of St. Michael's Catholic Church of Olympia.

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

## MESSAGE FROM THE GOVERNOR

April 10, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES OF THE  
STATE OF WASHINGTON:  
LADIES AND GENTLEMEN:

I have the honor to advise that on April 10, 1973, Governor Evans approved the following House Bills entitled:

HOUSE BILL NO. 84: Establishing trust fund for funds not in state treasury but in custody of state treasurer.

HOUSE BILL NO. 123: Empowering mayor of first class city to appoint a designee to his seat on the police pension board.

HOUSE BILL NO. 225: Implementing laws of motor vehicle equipment.

SUBSTITUTE HOUSE BILL NO. 351: Increasing and reconstituting the membership of the state pharmacy board.

HOUSE BILL NO. 460: Authorizing mayors to designate a representative to fill their position on municipal firemen's pension boards.

SUBSTITUTE HOUSE BILL NO. 589: Regulating collection agencies.

HOUSE BILL NO. 601: Revising voter registration procedures.

HOUSE BILL NO. 668: Regulating factory built commercial structures.

HOUSE BILL NO. 741: Requiring continuing education for CPA's.

HOUSE BILL NO. 746: Implementing the laws protecting forest lands.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel.

## MESSAGES FROM THE SENATE

April 10, 1973

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2586,  
ENGROSSED SENATE BILL NO. 2841,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 10, 1973

Mr. Speaker:

The Senate concurred in the House amendments to  
ENGROSSED SENATE BILL NO. 2502, and has passed the bill as  
amended by the House.

Bill Gleason, Assistant Secretary.

April 10, 1973

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 127,  
HOUSE BILL NO. 483,  
ENGROSSED HOUSE BILL NO. 576,  
HOUSE BILL NO. 595,  
HOUSE BILL NO. 617,  
ENGROSSED HOUSE BILL NO. 685,  
ENGROSSED HOUSE BILL NO. 705,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 10, 1973

Mr. Speaker:

The Senate has granted the request of the House for  
a conference on ENGROSSED SENATE BILL NO. 2096, and the  
President has appointed as members of said conference  
committee: Senators Gardner, Guess and Odegaard.

Sidney R. Snyder, Secretary.

April 10, 1973

Mr. Speaker:

The Senate has adopted the report of the Conference  
Committee on ENGROSSED HOUSE BILL NO. 782 and has granted  
said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

April 11, 1973

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED 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 Mrs. Wojahn, the report of the Conference Committee on Engrossed House Bill No. 782 was adopted and the committee was granted the powers of Free Conference.

#### 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, Odegaard and Guess; Representatives Bauer, Goltz and Tilly.

#### MOTION

On motion of Mr. Bauer, the report of the Conference Committee on Engrossed Senate Bill No. 2096 was adopted and the committee was granted the powers of Free Conference.

#### INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2586, by Committee on Ways and Means (Originally sponsored by Senators Durkan, Keefe and T. G. Peterson):

AN ACT Relating to firemen and police pension benefits; amending section 3, chapter 82, Laws of 1957 as last amended by section 2, chapter 91, Laws of 1967 ex. sess. and RCW 41.16.090; amending section 1, chapter

6, Laws of 1959 as last amended by section 6, chapter 269, Laws of 1969 ex. sess. and RCW 41.20.050; amending section 5, chapter 39, Laws of 1909 as last amended by section 2, chapter 219, Laws of 1969 ex. sess. and RCW 41.20.060; amending section 7, chapter 39, Laws of 1909 as last amended by section 3, chapter 191, Laws of 1961 and RCW 41.20.080; amending section 2, chapter 78, Laws of 1959 as last amended by section 26, chapter 209, Laws of 1969 ex. sess. and RCW 41.20.085; adding a new section to chapter 41.18 RCW; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

ENGROSSED SENATE BILL NO. 2841, by Senator Fleming:

AN ACT Relating to revenue and taxation; 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.

#### MOTION

On motion of Mr. Thompson, the rules were suspended and Engrossed Senate Bill No. 2841 was advanced to second reading.

#### REPORTS OF STANDING COMMITTEES

April 10, 1973

HOUSE JOINT RESOLUTION NO. 41, Prime Sponsor: Representative Brown, amending the Constitution to permit a bill to take effect ninety days after the Governor's signature, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 9 after "Constitution" strike all matter down to and including the period on line 12 and insert "PROVIDED FURTHER, That except when the legislature shall order a special election, each election on a measure referred to the people of the state shall be held at the next general election subsequent to sixty days following the date on which petitions are required to be filed pursuant to this section. The provisions of this subsection supersede the provisions of the second and fourth sentences of subsection (d) of section 1, Article II of this Constitution."

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Conner, Eng, Erickson, Hayner, Knowles, Maxie.

To Committee on Rules for second reading.

April 10, 1973

ENGROSSED SENATE BILL NO. 2112, Prime Sponsor: Senator Canfield, implementing state patrol retirement act, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Maxie, Chairwoman; Goltz, Vice Chairman; Anderson, Benitz, Charnley, Erickson, Freeman, King, Kraabel, Patterson, Rabel, Valle, Wilson, Wojahn.

To Committee on Rules for second reading.

April 10, 1973

ENGROSSED SENATE BILL NO. 2289, Prime Sponsor: Senator Durkan, gives option to principals and assistant principals of joining together for separate employer-employee negotiations, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

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, (~~28.72.040 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 (~~REW 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."

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."

Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hoggins, Johnson, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Hayner, Hendricks, Polk, Tilly.

MOTION

On motion of Mr. Thompson, the rules were suspended and Engrossed Senate Bill No. 2289 was advanced to second reading.

April 9, 1973

SENATE BILL NO. 2337, Prime Sponsor: Senator Walgren, making appropriations for city streets, county roads, and other nonstate highways, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 8 strike "\$39,344,319" and insert "\$39,481,684"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Berentson, Ceccarelli, Clemente, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Nelson, Pullen, Swayze.

To Committee on Rules for second reading.

April 10, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2531, Prime sponsor of original bill: Senator Twigg, defining environmental impact statement requirements, reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Luders, Chairman; Smith, Vice Chairman; Beck, Bluechel, Goltz, Kraabel, McCormick, Nelson, North (Lois), Valle, Wilson, Zimmerman.

To Committee on Rules for second reading.

April 9, 1973

SENATE BILL NO. 2552, Prime Sponsor: Senator Walgren, authorizing continued support of the Puget Sound reserve account, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Bender, Ceccarelli, Clemente, Gallagher, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Martinis, Swayze.

To Committee on Rules for second reading.

April 10, 1973

ENGROSSED SENATE BILL NO. 2598, Prime Sponsor: Senator Mardesich, 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 amendment:

On page 1, section 1, line 11 of the printed bill and the engrossed bill following "funds." insert "It is further declared that it is the intent of the legislature that the department of natural resources be guided in this economic development of state lands by the criteria set forth in RCW 79.01.095. Any change of policy shall be reviewed with the Legislative Budget Committee."

Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Anderson, Clemente, Gilleland, Hansen, Haussler, Kalich, Kilbury.

To Committee on Rules for second reading.

April 10, 1973

SUBSTITUTE SENATE BILL NO. 2739, Prime sponsor of original bill: Senator Donohue, clarifying college and university fee structure for bonding purposes, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Maxie, Chairwoman; Goltz, Vice Chairman; Anderson, Benitz, Charnley, Erickson, Freeman, King, Kraabel, Patterson, Rabel, Valle, Wilson, Wojahn.

To Committee on Rules for second reading.

April 10, 1973

SUBSTITUTE SENATE BILL NO. 2897, Prime sponsor of original bill: Senator Clarke, making certain changes in the laws relating to small loan companies, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Bagnariol, Barden, Blair, Chatalas, Eikenberry, Leckenby, Pardini, Parker.

MINORITY recommendation: Do not pass. Signed by Representatives Moon, Van Dyk.

To Committee on Rules for second reading.

April 10, 1973

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 129, Prime Sponsor: Senator Metcalf, providing for a study of election procedures, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Conner, Erickson, Hayner, Knowles, Maxie.

To Committee on Rules for second reading.

#### SECOND READING

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

Permitting cosmetologists to serve men and women.

The House resumed consideration of Engrossed Senate Bill No. 2088 on second reading. (For previous House action, see Journal for thirty-third day, Ex. Sess., April 10, 1973.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments by Representatives Blair and Morrison.

Representatives Morrison, Blair and Newhouse spoke in favor of the amendments, and Representative Ceccarelli spoke against their adoption.

Mr. Charette demanded the previous question and the demand was sustained.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representatives Blair and Morrison to Engrossed Senate Bill No. 2088, and the amendments were adopted by the following vote: Yeas, 91; nays, 4; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charette, Charnley, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Ceccarelli, Chatalas, Fortson.

Not voting: Representatives Eikenberry, Julin, Moon.

On motion of Mrs. Wojahn, the following amendment by Representatives Wojahn, Curtis and Adams was adopted:

On page 23, section 27, in line 11, after "than" and before "dollars" strike "two" and insert "five"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2088 as amended by the House was placed on final passage.

Representatives Ceccarelli and Morrison spoke in favor of passage of the bill, and Representative Kuehnle spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2088 as amended by the House, and the bill passed the House by the following vote: Yeas, 70; nays, 22; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Bausch, Beck, Bender, Benitz, Blair, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, McCormick, Morrison, Nelson, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Anderson, Barden, Bauer, Berentson, Bluechel, Charette, Curtis, Eng, Flanagan, Gallagher, Hansen, Hansey, Juelling, Julin, Kuehnle, Matthews, May, Polk, Schumaker, Tilly, Warnke.

Not voting: Representatives Eikenberry, Kopet, Moon, Newhouse, Pardini, and Mr. Speaker.

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.

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

The Speaker called the House to order.

#### MOTION

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

#### REPORT OF STANDING COMMITTEE

April 9, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2105, Prime sponsor of original bill: Senator Atwood, adopting the capital budget, 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. 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-	From the	From the
priations	Fund Designated	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

Reappro-	From the	From the
priations	Fund Designated	General Fund

(1) Construct new armory-Seattle  
Seattle Armory  
Fund 2,000,000

(2) Construct, repair, remodel buildings and improve facilities, including architect 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

11,613

NEW SECTION. Sec. 4. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Reappro-	From the	From the
priations	Fund Designated	General Fund

(1) Washington State Penitentiary  
(a) Construct locking system for wing six (50% reimburseable)  
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 Womens 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) Fircrest 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 recommendation (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
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(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

Reapro-	From the	From the
priations	Fund Designated	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  
 Reappro- From the From the  
 priations Fund Designated 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

Reappro- From the From the  
 priations Fund Designated General Fund

(1) Construct, repair and improve park facilities (1,032,353)

General Fund 825,379 206,974

(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

Reappro- From the From the  
 priations Fund Designated 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
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## (b) General Fund--

Federal

appropriation

(791,155)	250,000		541,155
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(Federal share  
of 50%

reimburseable  
projects)

## (c) General Fund--

Federal

appropriation

(1,135,000)	135,000		1,000,000
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(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

Reappro-	From the	From the
priations	Fund Designated	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

Reappro-	From the	From the
priations	Fund Designated	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

Reappro- From the From the  
priations Fund Designated 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

	Reappro-	From the	From the
	priations	Fund	Designated 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

	Reappro-	From the	From the
	priations	Fund Designated	General Fund
(1) Utility tunnels and services, including purchase and installation of			

boiler and chiller system (1,623,442)		
Eastern Washington State College Capital Projects		
Account	1,111,242	512,200
(2) Remodel buildings, develop and improve facilities, major betterments and extend utilities (299,173)		
Eastern Washington State College Capital Projects		
Account	115,173	184,000
(3) Construct and equip Physical Education building, Phase III (4,489,500)		
Eastern Washington State College Capital Projects		
Account		489,500
State Higher Education Construction Account		4,000,000
(4) Science and "Isle" buildings remodeling		
Eastern Washington State College Capital Projects		
Account		1,000,600
(5) Improvements to grounds (255,154)		
Eastern Washington State College Capital Projects		
Account	205,154	50,000
(6) Preplanning for projects in the 1975-77 capital budget		
Eastern Washington State College Capital Projects		
Account		20,000
(7) Construct and equip Creative Arts Complex, Phase II		
Eastern Washington State College Capital Projects		
Account	26,920	
(8) Moveable equipment for buildings under		

State Building

Authority

Eastern Washington

State College

Capital Projects

Account 54,368

(9) Cheney Sewer

System

Eastern Washington

State College

Capital Projects

Account 1,782

NEW SECTION. Sec. 14. FOR CENTRAL WASHINGTON STATE

COLLEGE

	Reappro-	From the	From the
	priations	Fund Designated	General Fund

(1) Land acquisition

Central Washington

State College

Capital Projects

Account 70,100

(2) Construct and

equip Psychology

building

Central Washington

State College

Capital Projects

Account 80,000

(3) Construct and

equip Library-

Instructional

complex (4,910,000)

State Building

and Higher

Education

Construction

Account 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

Construction

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		
facilities 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		
protection system in		
plant services		
warehouse		
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

	Reappro-	From the	From the
	priations	Fund Designated	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

	Reappro-	From the	From the
	priations	Fund Designated	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 State Building and Higher Education Construction Account	400,000	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

Reappro- riations	From the Com- munity College Capital Proj- ects Account	From the Com- munity College Capital Im- provement Account
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(1) Removal of Edison  
South and con-  
struction of  
replacement  
facilities  
designated as  
Phase II of  
Seattle Central  
Campus 8,001,601

(2) Construct voca-  
tional and  
academic facili-  
ties 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 voca-  
tional facili-  
ties 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

	Reappro- priations	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

	Reappro- priations	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 28A.04 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 incurred for preliminary planning, but no more than \$100,000 shall be expended			

in any one fiscal year	39,395,735	29,348,639
<u>NEW SECTION.</u> Sec. 20. FOR THE STATE PATROL	Reappro-	From the Motor
	priations	Vehicle Fund
		From the General Fund
(1) Construct and equip weigh stations including site acquisitions and improvements 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 station (5,000)		
Motor Vehicle Fund	3,000	2,000
(3) Replace radio relay facility-Okanogan		
Motor Vehicle Fund	12,960	
(4) Mobile radio relay station		
Motor Vehicle Fund	35,700	
(5) Weigh Station Improvement-Wallula		
Motor Vehicle Fund	9,100	
(6) Construct detachment office-Ellensburg 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 communication 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-Kennewick detachment		6,500
(13) Construct office addition and pave parking lots-		

Ephrata detachment 7,000  
 (14) Second phase  
 landscaping-  
 Okanogan 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

	Reappro-	From the	From the
	priations	Fund Designated	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 of 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."

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Bausch, Charette, Chatalas, Ehlers, Erickson, Gaspard, Goltz, Hansey, King, Kopet, Luders, Moon, Morrison, North (Frances), Pardini, Sommers, Thompson, Van Dyk, Warnke, Williams.

#### MOTIONS

On motion of Mr. Thompson, the rules were suspended and Engrossed Substitute Senate Bill No. 2105 was advanced to second reading.

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

Mr. Thompson moved that the following bills be made a special order of business immediately upon reconvening: ENGROSSED SENATE BILL NO. 2803, ENGROSSED SENATE BILL NO. 2740, ENGROSSED SUBSTITUTE SENATE BILL NO. 2800, and ENGROSSED SUBSTITUTE SENATE BILL NO. 2105.

The motion was carried.

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

#### MESSAGES FROM THE SENATE

April 11, 1973

Mr. Speaker:

The President has 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,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 11, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 51,  
HOUSE BILL NO. 617,  
ENGROSSED HOUSE BILL NO. 685,  
ENGROSSED HOUSE BILL NO. 705,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

SECOND READING

ENGROSSED SENATE BILL NO. 2803, by Senators Donohue, Durkan and Odegaard:

Adopting a budget for the superintendent of public instruction.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendment, see Journal for thirty-third day, Ex. Sess., April 11, 1973.)

The bill was read the second time.

Mr. Shinpoch moved adoption of the committee amendment.

Mr. Randall moved adoption of the following amendments by Representatives Randall and Hoggins to the committee amendment:

On page 2, section 2, line 25 after "student" strike the comma and insert a semicolon

On page 2, section 2, line 26 strike "grades 7-12, an added --.3;"

On page 2, section 2, line 32 after the semicolon strike "one-quarter of"

On page 3, section 2, line 4 after "the" strike "1971-73" and insert "1973-75"

Representatives Randall and Hoggins spoke in favor of the amendments.

The amendments were adopted.

Mr. Randall moved adoption of the following amendment by Representatives Randall and Hoggins to the

committee amendment:

On page 6, section 2, between lines 8 and 9 insert the following:

"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"

Representatives Randall and Hoggins spoke in favor of the amendment.

The amendment was adopted.

Mr. Randall moved adoption of the following amendment by Representatives Randall, Hoggins and Kopet to the committee amendment:

On page 5, section 2, line 13, after "percent" strike all material down to and including "stipends" on page 6, line 8

Representatives Randall and Hoggins spoke in favor of the amendment.

The amendment was adopted.

The committee amendment as amended was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2803 as amended by the House was placed on final passage.

Representatives Randall, Shinpoch and Bagnariol spoke in favor of passage of the bill, and Representatives Kopet and Swayze spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2803 as amended by the House, and the bill passed the House by the following vote: Yeas, 58; nays, 35; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hoggins, Juelling, Kopet, Kuehnle, Leckenby, Matthews, Moon, Morrison, Nelson, North L., Pardini, Paris, Patterson,



Polk, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson.

Not voting: Representatives Bluechel, Julin, Newhouse, Perry, Wojahn.

Engrossed Senate Bill No. 2803 as amended by the House, having received the constitutional 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.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendment, see Journal for thirty-third day, Ex. Sess., April 10, 1973.)

The bill was read the second time.

Mr. Shinpoch moved adoption of the committee amendment.

On motion of Mr. Shinpoch, the following amendments to the committee amendment were adopted:

On page 2, section 2, line 18 after "salary" insert "and related fringe benefit"

On page 3, section 3, line 22 after "salary" insert "and related fringe benefit"

On page 4, section 4, line 4 after "salary" insert "and related fringe benefit"

On page 4, section 5, line 19 after "salary" insert "and related fringe benefit"

On page 5, section 6, line 2 after "salary" insert "and related fringe benefit"

On motion of Mr. Shinpoch, the following amendments to the committee amendment were adopted:

On page 2, section 2, line 23 delete "\$8,191,246" and insert "\$7,837,614"

On page 5, section 6, line 7 delete "\$355,556" and insert "\$245,372"

On motion of Mr. Shinpoch, the following amendments to the committee amendment were adopted:

On page 2, section 2, line 17 strike "\$140,652,287" and insert "\$141,005,919"

On page 5, section 6, line 1 strike "\$10,474,509" and insert "\$10,584,693"

The Clerk read the following amendment by Mr. Shinpoch to the committee amendment:

On page 7, section 8, between lines 13 and 14, insert the following:

"General Fund Appropriation: PROVIDED, That up to \$1,430,130 shall be available to implement the provisions of chapter ..., Laws of 1973 (HB 241).....\$1,430,130"

With the consent of the House, Mr. Shinpoch withdrew the amendment to the amendment.

On motion of Mr. Shinpoch, the following amendments to the committee amendment to Engrossed Substitute Senate Bill No. 2740 were adopted:

On page 5, section 7, line 11 after "salary" insert "and related fringe benefit"

On page 6, section 8, line 17 after "salary" insert "and related fringe benefit"

Mr. Shinpoch moved adoption of the following amendment by Representatives Shinpoch and Kopet to the committee amendment:

On page 6, section 8, line 6 after "education" strike "\$131,743,494" and insert  
 ": PROVIDED FURTHER, 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"

Representatives Shinpoch and Kopet spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Ms. Maxie.

Ms. Maxie: "Representative Shinpoch, by virtue of the passage of this amendment, would it mean that we no longer need the passage of House Bill No. 241--that is, the provisions are entailed in this proviso?"

Mr. Shinpoch: "That is my understanding. It is also my understanding in the agreement we have with the state board for community colleges. They understand that they are to provide the waivers as requested, and that they have sufficient funds to fund them. In fact they think that \$1.4 is considerably more--almost three times as much as they think is required to fund them."

The amendment to the committee amendment was adopted.

On motion of Mr. Charnley, the following amendment to the committee amendment was adopted:

On page 6, section 8, line 6 after "education" insert ": PROVIDED, 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"

On motion of Mr. Shinpoch, the following amendment by Representatives Shinpoch and Kopet to the committee amendment was adopted:

On page 12, line 30 insert the following:

"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."

Renumber the remaining sections consecutively.

Mr. Kuehnle moved adoption of the following amendment to the committee amendment:

On page 4, section 6, beginning on line 25, strike all of New Section 6 and renumber the remaining sections consecutively

Mr. Kuehnle spoke in favor of adoption of the amendment to the amendment, and Representatives Bagnariol, Bausch, Hendricks, Brown, Goltz and Anderson spoke against it.

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

Mr. Charnley spoke against the amendment to the committee amendment, and Mr. Kuehnle spoke again in favor of its adoption.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to the committee amendment to Engrossed Substitute Senate Bill No. 2740, and the amendment was lost by the following vote: Yeas, 3; nays, 82; not voting, 13.

Voting yea: Representatives Jueling, Kuehnle, Schumaker.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Clemente, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shipoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Benitz, Chatalas, Conner, Cunningham, Eikenberry, Julin, Moon, Newhouse, Pardini, Polk, Smythe, Warnke, and Mr. Speaker.

Mr. Kopet moved adoption of the following amendment to the committee amendment:

On page 7, line 13 following "districts" insert: "and that such definition shall include a compensation plan that recognizes the specific responsibilities assigned part-time faculty members"

Representatives Kopet and Shinpoch spoke in favor of the amendment.

The amendment by Mr. Kopet was adopted.

The committee amendment to Engrossed Substitute Senate Bill No. 2740, as amended, was adopted.

Engrossed Substitute Senate Bill No. 2740 as amended by the House was passed to Committee on Rules for third reading.

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.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendment, see Journal for fourteenth day, Ex. Sess., March 22, 1973.)

The bill was read the second time.

Mr. Shinpoch moved adoption of the committee amendment.

Mr. Barden moved adoption of the following amendment to the committee amendment:

On page 1, section 2, line 16 of the committee amendment, insert:

"NEW SECTION. Sec. 2. Notwithstanding any other provisions of law, there shall be appropriated to the State Superintendent of Public Instruction for the biennium ending June 30, 1975 from the general fund for distribution to certain local school districts any excess of the current general fund appropriation to all state agencies contained in this appropriations act which each and every agency anticipates will remain unexpended or lapse by June 30, 1975: PROVIDED, That the amounts which are anticipated to be unexpended or to lapse shall be as certified by the Office of Program Planning and Fiscal Management to the State Superintendent of Public Instruction on January 1, 1975: PROVIDED, That these funds are to be distributed during calendar year 1975 to local school districts for the exclusive purpose of providing special levy relief and to that end the distribution shall be on the basis of an equal allocation per full-time equivalent student to each local school district which presents to the voters of said district a request for excess levies in 1975 which is equal to or less than the amount voted in calendar year 1974: PROVIDED, That no funds shall be distributed to a local school district unless the dollar amount of excess levies per full-time equivalent enrollee remains constant or

declines with the calculation based upon calendar year 1974 excess levies divided by the full-time equivalent enrollment as reported for October, 1973: PROVIDED FURTHER, That only local school districts which had voted excess levies for collection in calendar year 1974 shall be eligible for funds under this section."

Renumber the remaining sections consecutively.

Mr. Barden spoke in favor of the amendment.

#### POINT OF ORDER

Mr. Bagnariol: "I challenge the scope and object of this amendment."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "In reply to your point of order, Mr. Bagnariol, on the scope and object of the amendment by Mr. Barden, it appears that your point of order is well taken. The question before us is in connection with the department of social and health services. It appears that the amendment offered by Mr. Barden pertains to funds appropriated to the state superintendent of public instruction. Your point is well taken. The amendment is declared out of order."

#### PARLIAMENTARY INQUIRY

Mr. Barden: "Mr. Speaker, my point of parliamentary inquiry is that we can't have it both ways. Either we are working the budget today, and it just happens to be a coincidence or an unusual circumstance that it is in parts, in different bills, or it is not. The Chairman of the Ways and Means - Appropriations Committee said a little earlier on the floor that this is all one budget--that we are just working it in several pieces and it has no bearing on it--that it is the whole budget and we have to look at the whole picture. And what I am trying to do is to provide for the transfer of money within the general fund. If we were doing business this year, as we have done all the times past, we would be dealing with one bill. I would ask you to please examine your point of order. We can't let these rules and regulations preclude us from doing the things that we are trying to do here."

Mr. Barden moved adoption of the following amendment to the committee amendment to Engrossed Substitute Senate Bill No. 2800:

On page 1, section 2, line 21 of the amendment, after "funds" insert ": PROVIDED, That \$50,077,020 in state general fund dollars of this appropriation shall be made available to the Superintendent of Public Instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special

levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

Mr. Barden spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

Mr. Barden spoke again in favor of the amendment, and Mr. Shinpoch spoke against it.

The amendment by Mr. Barden to the committee amendment was not adopted.

Mr. Leckenby moved adoption of the following amendment by Representatives Leckenby and Morrison to the committee amendment:

On page 4, section 2, line 25 after "program.....\$" strike "29,994,492" and insert "30,780,713"

Representatives Leckenby and Kopet spoke in favor of adoption of the amendment, and Representative Bagnariol spoke against it.

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

Mr. Shinpoch spoke against adoption of the amendment, and Mr. Pardini spoke in favor of its adoption.

#### POINT OF ORDER

Mr. Shinpoch: "Mr. Speaker, I did not open up the whole budget. I opened up the area of juvenile delinquency only. Mr. Pardini is speaking to the whole budget, and he is speaking to other matters that are going to come over."

The Speaker (Mr. O'Brien presiding): "Try to hold your remarks to the issue at hand, Mr. Pardini."

Mr. Pardini concluded his remarks in favor of the amendment.

The Speaker resumed the Chair.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Leckenby and Morrison to the committee amendment to Engrossed Substitute Senate Bill No. 2800, and the amendment was lost by the following vote: Yeas, 39; nays, 56; not voting, 3.

Yoting yea: Representatives Amen, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Jueling, Kopet,

Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Julin, Moon, Patterson.

The Clerk read the following amendment by Representative Leckenby to the committee amendment:

On page 10, section 3, line 4 after "of" and before "man-years" strike "26,320" and insert "26,380"

#### POINT OF INQUIRY

Mr. Schumaker: "I have an amendment on the desk to page 2, section 2. Shouldn't this come ahead of that one?"

The Speaker: "Representative Schumaker, just for the convenience of the members, there happened to be three amendments on the same page so we took them in order so it would be a little easier to follow, but we will revert back and take yours."

With the consent of the House, Mr. Leckenby withdrew his amendment.

Mr. Schumaker moved adoption of the following amendment by Representatives Schumaker, Haussler, Zimmerman and Smythe to the committee amendment to Engrossed Substitute Senate Bill No. 2800:

On page 2, section 2, line 9 after the colon insert "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:"

Representatives Schumaker and Haussler spoke in favor of the amendment.

The Speaker called on Mr. O'Brien to preside.

#### POINT OF INQUIRY

Mr. Pardini: "Mr. Speaker, I wonder if it would be possible, with the permission of the House, to get electric roll calls on these as they come along to save some time to expedite it--a motion similar to the one that Mr. Bagnariol made the other night?"

The Speaker (Mr. O'Brien presiding): "The Speaker is a little bit hesitant to recognize the proposal to suspend the rules on all of these. Some of the amendments are not controversial. If you will stand up on those amendments on which you desire an electric roll call, we will try to expedite it."

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

Representatives Zimmerman and Randall spoke in favor of adoption of the amendment, and Representative Shinpoch spoke against it.

#### POINT OF INQUIRY

Mr. Schumaker yielded to question by Mr. Smythe.

Mr. Smythe: "Representative Schumaker, have you talked to the department of natural resources regarding the closure of this camp recently, and what was their comment regarding the use of the camp?"

Mr. Schumaker: "Yes, I have talked to them, and their main objection to the closure is the additional cost which I mentioned in my first remarks--the additional cost which would have to go into their budget for fire fighting replacement."

Mr. Smythe spoke in favor of the amendment.

Mr. Schumaker closed debate, speaking again in favor of adoption of the amendment.

Mr. Thompson demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Schumaker, Haussler, Zimmerman and Smythe to the committee amendment to Engrossed Substitute Senate Bill No. 280C, and the amendment was adopted by the following vote: Yeas, 54; nays, 39; not voting, 5.

Voting yea: Representatives Amen, Anderson, Bauer, Beck, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charnley, Clemente, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jueling, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Matthews, May, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barden, Bausch, Bender, Charette, Chatalas, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaspard, Goltz, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Luders, Lysen, Martinis, McCormick, O'Brien, Parker, Perry, Savage,



Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Blair, Julin, Kelley, Maxie, Moon.

On motion of Mr. Kopet, the following amendment by Representatives Kopet and Shinpoch to the committee amendment was adopted:

On page 2, section 2, line 20 after "session" strike "by July 1, 1973" and insert "by September 15, 1973"

Mr. Lysen moved adoption of the following amendment to the committee amendment:

On page 3, line 1 after "law" and before ": PROVIDED," insert ": 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"

Mr. Lysen spoke in favor of the amendment.

#### POINT OF ORDER

Mr. Swayze: "Mr. Speaker, I would like to challenge the scope and object of this particular amendment on the same grounds that Mr. Barden's amendment was ruled out of order before. It goes far beyond the appropriations measure which is before us. It gets entirely into the area of federal and state relations and the decision-making process of the federal government."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Mr. Swayze, the Speaker doesn't quite agree with your point of order. The department of social and health services depends to a great degree on federal funds--the matching of various programs. This amendment primarily is in the area of disputes that might arise on the allocation or the reimbursement or the type of funds that might be allocated from the federal government. If there are any disputes in this area, they want them negotiated and settled with the consent of the majority of the members of the House Ways and Means Committee and the Senate Ways and Means Committee. If there is any inconsistency or incompatibility, it is up to the House to determine it. I don't think it is beyond the scope and object. I think it falls within that, although there might be a question of consistency."

## POINT OF ORDER

Mr. Pardini: "To raise a further point of order, Mr. Speaker, my point of order is the question as to whether this body can delegate to the House Ways and Means Committee the settlement of disputes involving funds which would probably also involve appropriations."

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Mr. Pardini, Reed's Rule No. 161, dealing with incompatibility or inconsistency of amendments and questions of constitutionality, states that it is not for the presiding officer to decide such questions that are matters of argument. It is up to the body to determine its reaction and its acceptance or rejection of amendments of this nature."

Mr. Lysen concluded his remarks in favor of the amendment.

## PARLIAMENTARY INQUIRY

Mr. Hoggins: "It would appear that we are amending the Joint Rules of the House and the Senate. I am wondering if this would require a two-thirds majority to amend these Joint Rules."

The Speaker (Mr. O'Brien presiding): "Mr. Hoggins, I don't think it has anything to do with the Joint Rules. It just requires the consent of a majority of the members of the House Ways and Means Committee and the Senate Ways and Means Committee. It is just a stipulation in this amendment and I don't think it has anything to do with our Joint Rules."

Mr. Hoggins: "Mr. Speaker, the Joint Rules that were passed relating to our continuing sessions make no provision for these matters in the committees. I would suggest that referral of matters such as this, which will not include pending bills, or matters assigned to them, would be an amendment to our rules that we have already adopted with some pain."

The Speaker (Mr. O'Brien presiding): "I stated, Mr. Hoggins, previously that Reed's Rule No. 161 goes into this question of the constitutionality or whether it is in order or incompatible or inconsistent. It further states it is up to the body to determine whether or not they want to adopt or reject such a proposal."

Mr. Moon spoke in favor of adoption of the amendment to the committee amendment, and Mr. Kopet spoke against it.

Representatives Lysen and Moon spoke again in favor of the amendment, and Representative Swayze spoke against it.

## POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Ehlers.

Mr. Ehlers: "Mr. Lysen, I am a little confused what these negotiations are all about. Would you explain it to me and the body?"

Mr. Lysen: "As I understand it, the federal government comes in under the social security act and has the right to audit reimbursable funds expended under the social security act. What has happened is the audits are going on, and in the case of the \$32.8 million--they have said they are going to disallow it or most of it or all of it. Then the executive and Mr. Kelly, Region 10 HEW executive, go behind closed doors and argue it out--how much money are we going to get and on what basis. There has been no challenge to this. We have a legal right to these funds and a legal constitutional responsibility over the appropriated funds of this legislature. Mr. Moon is totally right. If no suit is brought and if it is not made a question of legal right--this is a state's rights issue--and if the executive does not choose to challenge it, the legislature is never involved in it. The funds are just slipped away and we are just out. In the case here it looks like about \$62 million."

Mr. Thompson demanded the previous question and the demand was sustained.

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

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Lysen to the committee amendment to Engrossed Substitute Senate Bill No. 2800, and the amendment was adopted by the following vote: Yeas, 56; nays, 39; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North P., O'Brien, Pardini, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Kopet, Kraabel, Kuehnle, Leckenby, Lysen, Matthews, Morrison, Nelson, Newhouse, North L., Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representatives Benitz, Julin, Kelley.

## STATEMENT FOR THE JOURNAL

Fearing my amendment might fail, I voted "no" so that I could move to reconsider my amendment in order to try to get several more votes.

KING LYSEN  
31st District.

## MOTION FOR RECONSIDERATION

Mr. Pardini, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Mr. Lysen to the committee amendment to Engrossed Substitute Senate Bill No. 2800 was adopted.

Mr. Pardini spoke in favor of the motion.

## POINT OF ORDER

Mr. Bagnariol: "Mr. Pardini is not addressing himself to the motion to reconsider but rather to the merits of the bill."

The Speaker (Mr. O'Brien presiding): "The motion to reconsider opens up the entire merits of the bill. The entire discussion is opened."

Mr. Pardini concluded his remarks in favor of the motion and Mr. Moon spoke against it.

The motion by Mr. Pardini was lost.

Mr. Curtis moved adoption of the following amendments by Representatives Curtis, Hayner and Tilly:

On page 4, section 2, line 20 after "program:" strike all the material down through and including "\$29,994,492" on line 25 and insert:

"PROVIDED, That \$1,572,128 in state funds, or so much thereof as shall be necessary, shall be employed exclusively for the purpose of providing for ninety-four 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 for these services in accordance with existing statutes and regulations.....\$31,566,620"

Further amend section 3, page 10, line 4 by deleting "26,320" and inserting "26,414"

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

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

Mrs. Hayner spoke in favor of adoption of the amendment to the amendment, and Mr. Shinpoch spoke against it.

Mr. Thompson demanded the previous question and the demand was not sustained.

Mr. Swayze spoke in favor of the amendment.

Mr. Shinpoch spoke again in opposition to the adoption of the amendment, and Mr. Curtis closed debate, speaking again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Curtis, Hayner and Tilly to the committee amendment to Engrossed Substitute Senate Bill No. 2800, and the amendment was lost by the following vote: Yeas, 43; nays, 54; not voting, 1.

Voting yea: Representatives Amen, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Julin, King, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charney, Chatalas, Clemente, Conner, Douthwaite, Eng, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Moon.

Mrs. Hurley moved adoption of the following amendment by Representatives Hurley, Luders, Bauer, Fortson and Goltz to the committee amendment:

On page 4, section 2, line 26 after "Program" insert the following ": PROVIDED, That no funds appropriated to the Department of Social and Health Services or granted or allocated by the department to other public or private agencies may be spent to finance or to operate, in total or in part, a drug treatment center staffed or managed by drug addicts or former drug addicts if such a center is located within one-half mile of any private or public educational institution; however, this restriction shall not be construed to apply to existing treatment centers which are in full operation."

Mrs. Hurley spoke in favor of the amendment, and Representatives Blair, Parker and Douthwaite spoke against it.

Mrs. Hurley spoke again in favor of the amendment, and Mr. Chatalas spoke against it.

The amendment by Mrs. Hurley was lost on a rising vote.

Mr. Freeman moved adoption of the following amendment by Representatives Freeman and Hansey to the committee amendment to Engrossed Substitute Senate Bill No.

2800:

On page 4, section 2, line 26 after "\$" strike "51,994,015" and insert "52,994,015"

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

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

Mr. Hansey spoke in favor of adoption of the amendment, and Mr. Shinpoch spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Freeman and Hansey to the committee amendment to Engrossed Substitute Senate Bill No. 2800, and the amendment was lost by the following vote: Yeas, 38; nays, 56; not voting, 4.

Voting yea: Representatives Amen, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Fortson, Freeman, Garrett, Gilleland, Goltz, Hansey, Hayner, Hendricks, Hoggins, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Flanagan, Gaines, Gallagher, Gaspard, Hansen, Haussler, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

Not voting: Representatives Erickson, Patterson, Smith, and Mr. Speaker.

Mr. Swayze moved adoption of the following amendments to the committee amendment:

On page 4, section 2, line 19 after "Program.....\$" strike "42,208,916" and insert "43,629,810"

On page 10, section 3, line 4 after "of" strike "26,320" and insert "26,432"

Mr. Swayze spoke in favor of the amendments.

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

Mr. Shinpoch spoke against adoption of the amendments.

## ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Swayze to the committee amendment to Engrossed Substitute Senate Bill No. 2800, and the amendments were lost by the following vote: Yeas, 39; nays, 56; not voting, 3.

Voting yea: Representatives Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Conner, Cunningham, Curtis, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Kopet, Kraabel, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Randall, Savage, Shinpoch, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

Not voting: Representatives Kuehnle, Smith, and Mr. Speaker.

Mr. Pardini moved adoption of the following amendments to the committee amendment:

On page 4, section 2, line 17 after "purposes.....\$" strike "1,019,121,295" and insert "1,020,371,295"

On page 8, section 2, line 3 after "\$" and before "of" strike "2,000,000" and insert "3,250,000"

On page 8, section 2, line 11 after "law.....\$" strike "106,243,039" and insert "107,493,039"

Representatives Pardini and Curtis spoke in favor of the amendments.

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

Mr. Shinpoch spoke against adoption of the amendments, and Mr. Pardini spoke again in favor of their adoption.

Mr. Shinpoch spoke again in opposition to the amendments, and Mr. Pardini closed debate, speaking again in favor of the amendments.

## ROLL CALL

The Clerk called the roll on the adoption of the amendments by Mr. Pardini to the committee amendment to Engrossed Substitute Senate Bill No. 2800, and the amendments were lost by the following vote: Yeas, 43; nays, 54; not voting, 1.

Voting yea: Representatives Amen, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Clemente,

Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Julin, King, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Ceccarelli, Charette, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

Not voting: Mr. Speaker.

Mr. King moved adoption of the following amendments by Representatives King and Charnley to the committee amendment to Engrossed Substitute Senate Bill No. 2800:

On page 8, line 11, after "law" and the leader, strike "\$106,243,039" and insert "\$102,176,039"

On page 8, between lines 11 and 12, insert:

"State General Fund Appropriation:

For day care services for former and potential AFDC recipients.....\$4,067,000"

Mr. King spoke in favor of adoption of the amendments.

#### POINT OF INQUIRY

Mr. King yielded to question by Mrs. North (Lois).

Mrs. North (Lois): "Representative King, the thrust of your amendment is a very worthy one, but I am concerned about the effect of it on the rest of the allocation for the other child care agencies within this community services division. This is the first time that this legislature has expressed a clear policy of contributing part of the cost for administration, maintenance and operation of our voluntary nonprofit child care agencies. We have a long history of paying the complete cost to the profit-making agencies, and this is quite a change for us to make, and I want to be very sure: Will your amendment in any way detract from the funds that we have given in the past to these various child care agencies?"

Mr. King: "It is my understanding that it will not, and it certainly was not the intent of the amendment to in any way affect those other funds. They are in the budget in the blue sheet we discussed. This is the same thing that is in those sheets. It should not result in a subtraction from available funds for other areas at all."

Mrs. North (Lois) spoke in favor of adoption of the amendments.



## POINT OF INQUIRY

Mr. King yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. King, it looks to me like the effect of this amendment, while there is no change in dollars, is to earmark specifically within the \$106 million previously earmarked for community social service programs--give a specific earmark for \$4,067,000 for day care centers. Are there any other programs besides day care centers that may be cut because of the necessity of earmarking these funds for that care, and if so, which ones?"

Mr. King: "It is my understanding that the intent of both the Ways and Means Committee in discussions with the department of social and health services is that they would follow out the intent laid in the blue sheet as explained to us for all programs. The reason I selected this one was that it particularly dealt with replacement of funds at the state level that had been taken away by the federal government, whereas the others, under my understanding, did not."

## MOTION

Mr. Curtis moved that the question be divided.

Mr. Curtis spoke in favor of the motion and Mr. Bagnariol spoke against it.

The motion by Mr. Curtis was lost.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments by Representatives King and Charnley to the committee amendment to Engrossed Substitute Senate Bill No. 2800.

The amendments were adopted.

Mr. Curtis moved adoption of the following amendment by Representatives Curtis and Tilly to the committee amendment:

On page 8, section 2, line 11 after "law" insert  
": 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 . . ."

Representatives Curtis and Shinpoch spoke in favor of the amendment.

The amendment to the committee amendment was adopted.

Mr. Ehlers moved adoption of the following amendment to the committee amendment to Engrossed Substitute Senate Bill No. 2800:

On page 5, section 2, line 6 beginning with the colon on line 6 strike the remainder of the language down to and including "1973" on line 17

Representatives Ehlers and Smith spoke in favor of adoption of the amendment, and Representatives Kopet and Bagnariol spoke against it.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Warnke.

Mr. Warnke: "Representative Shinpoch, the proviso for the study, page 5, beginning on line 6 through 17, and the figure \$6,431,756, I assume includes the total veterans service program. I would like to know if you know how much the study is of that figure of \$6,431,756."

Mr. Shinpoch: "Representative Warnke, I would not expect any of that \$6,431,756 to be used in the study. There is a category in the social and health services budget which deals with (let me find the exact name of it) Administration and Supporting Services Program. I would expect that the cost of doing the study would come out of that money."

The amendment by Mr. Ehlers to the committee amendment was not adopted.

Mr. Paris moved adoption of the following amendment by Representatives Paris, Zimmerman, Bluechel and Brown to the committee amendment to Engrossed Substitute Senate Bill No. 2800:

On page 5, section 2, line 5 after "biennium.....\$" strike "70,118,192" and insert "70,734,211"

Representatives Paris and Zimmerman spoke in favor of adoption of the amendment.

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

Mr. Shinpoch spoke against adoption of the amendment.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "In regard to this particular point, you do feel that there is funding in there to cover this particular seventy-five that you speak of? I'm assuming you are saying take it out of the budget, find the workers, but no additional money. In other words, our concern is that the money is not there, although the mandate to do this is in there. Now in other words--the dollars are what we are concerned about. You feel there is the actual money in there?"

Mr. Shinpoch: "To answer your question succinctly--yes."

## POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Paris.

Mr. Paris: "I did not serve on the Appropriations Committee or Ways and Means, and I know, Representative Shinpoch, that you do have a real interest in this area, and I am sure you would not want to see this particular area of the budget not treated adequately. However, the information that I have received from the department is that you have agreed that there is a need for these workers, but that the department has been told that they must cut elsewhere to fund the workers that are needed for this project. That is the information that I have received for it. Perhaps either you or Representative Kopet could answer. Is the department in error?"

Mr. Shinpoch: "Representative Paris, I am very sincere in my understanding. My understanding is that when we put the proviso in for the seventy-five man-years, that we also added some money back in. I am not saying that I can't be wrong, but I am telling you what my understanding is."

Mr. Paris spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Paris, Zimmerman, Bluechel and Brown to the committee amendment to Engrossed Substitute Senate Bill No. 2800, and the amendment was lost by the following vote: Yeas, 42; nays, 52; not voting, 4.

Voting yea: Representatives Amen, Benitz, Berentson, Blair, Bluechel, Brown, Clemente, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Kalich, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Jueling, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn.

Not voting: Representatives Julin, Nelson, Randall, and Mr. Speaker.

Ms. Sommers moved adoption of the following amendment by Representatives Sommers and North (Lois) to the committee amendment:

On page 8, after line 22 add:

" : 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."

POINT OF ORDER

Mr. Swayze: "I challenge the scope and object of this particular amendment. It has to do with yearly inspection of nursing homes, including dietary, dispersal of drugs, stores and methods of supply, etc., which have nothing to do with the particular matter of appropriations."

RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "It appears to the Speaker, Mr. Swayze, that the amendment is in order--that it also refers to the examination of all records, including financial records, which certainly ties into the matter of the appropriations. 'The results of such inspection shall be made available to the House and Senate Ways and Means Committee and to the Legislative Budget Committee.' Therefore, it appears that this amendment does tie into the appropriations as set forth on page 8, line 22. The amendment is in order."

Ms. Sommers spoke in favor of the amendment, and Representatives Matthews and Chatalas spoke against it.

POINT OF ORDER

Ms. Sommers: "I wish to challenge Mr. Chatalas' remarks. I think they are somewhat out of order."

The Speaker (Mr. O'Brien presiding): "Mr. Chatalas, would you go easy on the ladies."

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

Representatives Kraabel and Rabel spoke in favor of adoption of the amendment, and Representative Curtis spoke against it.

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

Representatives Charnley, Valle and North (Lois) spoke in favor of adoption of the amendment to the amendment, and Representative Swayze spoke against it.

Mr. Thompson demanded the previous question and the demand was sustained.

Ms. Sommers closed debate, speaking again in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Sommers and North (Lois) to the committee amendment to Engrossed Substitute Senate Bill No. 2800, and the amendment was adopted by the following vote: Yeas, 48; nays, 44; not voting, 6.

Voting yea: Representatives Adams, Anderson, Barden, Bausch, Beck, Bender, Berentson, Blair, Brown, Charnley, Clemente, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Johnson, Kelley, Kilbury, King, Knowles, Kraabel, Luders, Lysen, Martinis, Maxie, Moon, Nelson, North F., North L., O'Brien, Perry, Rabel, Savage, Shinpoch, Smith, Sommers, Valle, Van Dyk, Williams, Wojahn.

Voting nay: Representatives Amen, Bauer, Benitz, Bluechel, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Curtis, Erickson, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hurley, Jastad, Juelling, Kopet, Kuehnle, Laughlin, Leckenby, Matthews, McCormick, Morrison, Newhouse, Pardini, Paris, Parker, Polk, Pullen, Randall, Schumaker, Smythe, Swayze, Thompson, Tilly, Warnke, Wilson, Zimmerman.

Not voting: Representatives Bagnariol, Julin, Kalich, May, Patterson, and Mr. Speaker.

#### STATEMENT FOR THE JOURNAL

I was conferring on the budget during the vote on Representative Sommers' amendment to the committee amendment to Engrossed Substitute Senate Bill No. 2800. I would have voted "yea."

JOHN BAGNARIOL, 11th District.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment to Engrossed Substitute Senate Bill No. 2800 as amended.

The committee amendment as amended was adopted.

Engrossed Substitute Senate Bill No. 2800 as amended by the House was passed to Committee on Rules for third reading.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MESSAGES FROM THE SENATE

April 11, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2084, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 11, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2311, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 11, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2317, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 11, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2378, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 11, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2544, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 11, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2571, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2105, by Committee on Ways and Means (Originally sponsored by Senators Atwood and Odegaard - by Executive request):

Adopting the capital budget.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendment, see today's Journal, morning session.)

The bill was read the second time.

Mr. Bagnariol moved adoption of the committee amendment.

Mr. Leckenby moved adoption of the following amendments to the committee amendment:

On page 2, section 2, line 7 after "facilities" strike all material down to and including "(23,302,000)" on line 14 and insert "(3,952,000)"

On page 2, section 2, line 18 after "Account" strike "22,850,000" and insert "3,500,000"

Mr. Leckenby spoke in favor of the amendments and Mr. Bagnariol spoke against their adoption.

The amendments by Mr. Leckenby to the committee amendment were not adopted.

Mr. Hansey moved adoption of the following amendments to the committee amendment to Engrossed Substitute Senate Bill No. 2105:

On page 5, section 2, line 1 after "moving" insert ": PROVIDED, That none of these moneys shall be expended for the purpose of installing any form of air conditioning in the Legislative Building as outlined in General Administration Capitol Project Estimates -- Priority No. 73-18 or elsewhere"

On page 5, section 2, subsection (12), line 4 strike "2,036,000" and insert "1,040,343"

Representatives Hansey and Cunningham spoke in favor of adoption of the amendments, and Mr. Bagnariol spoke against them.

The amendments by Mr. Hansey were not adopted.

Mr. Swayze moved adoption of the following amendment by Representatives Swayze, Savage and Conner to the committee amendment to Engrossed Substitute Senate Bill No. 2105:

On page 15, section 7, line 22 strike "206,974" and insert "682,333"

Representatives Swayze and Kopet spoke in favor of adoption of the amendment.

#### POINT OF INQUIRY

Mr. Swayze yielded to question by Mr. Charnley.

Mr. Charnley: "Mr. Swayze, I am very sympathetic to the action of your motion, but I don't see any language in here that says that these extra funds indeed are going in that direction. What is the assurance that this will happen?"

Mr. Swayze: "I had some proviso language drafted, as a matter of fact, to insert in there, and was assured by OPPFM and the Parks Department that with this expression of legislative intent on the floor that it would be adequate to assure that this is what the funds would be used for."

The amendment by Representatives Swayze, Savage and Conner to the committee amendment was adopted.

Mr. Hendricks moved adoption of the following amendments to the committee amendment to Engrossed Substitute Senate Bill No. 2105:

On page 37, section 15, line 2 strike "To plan construction of a" and insert "Construct and equip"

On page 37, section 15, line 13 insert "State Higher Education Account.....\$6,523,872"

Representatives Hendricks and Bausch spoke in favor of adoption of the amendments, and Representatives Shinpoch and Douthwaite spoke against their adoption.

The amendments by Mr. Hendricks to the committee amendment were not adopted.

Mr. Kuehnle moved adoption of the following amendment to the committee amendment:

On page 36, strike all the material on lines 19 through 30.

Mr. Kuehnle spoke in favor of adoption of the amendment, and Representatives Bagnariol, Hendricks and Bausch spoke against its adoption.

The amendment by Mr. Kuehnle was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment as amended.

The committee amendment to Engrossed Substitute Senate Bill No. 2105 as amended was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2105 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2105 as amended by the House, and the bill passed the House by the following vote: Yeas, 65; nays, 30; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Jueling, Kelley, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Moon, Nelson, Newhouse, Paris, Polk, Rabel, Schumaker, Tilly, Wilson.

Not voting: Representatives Julin, Morrison, Smythe.

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.



## MOTION

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

## MESSAGE FROM THE SENATE

April 11, 1973

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2854,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2366, by Senator Grant:

AN ACT Relating to legislative redistricting; and creating new sections.

To Committee on Constitution and Elections.

ENGROSSED 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 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.

To Committee on Ways and Means - Appropriations.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2813, by Committee on Ways and Means (Originally sponsored by Senators Durkan and Atwood):

AN ACT Relating to the financial support of public mass 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 new sections 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; making an appropriation; prescribing an effective date and declaring an emergency.

To Committee on Ways and Means - Revenue.

#### MOTION

Mr. Thompson moved that the bills printed on the supplemental introduction sheet be considered first reading under the fourth order of business and be referred to the committees so designated.

The motion was carried.

#### INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2854, by Committee on Ways and Means (Originally sponsored by Senator Odegaard):

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.

#### MOTION

On motion of Mr. Thompson, the rules were suspended and Substitute Senate Bill No. 2854 was advanced to second reading.

#### REPORTS OF STANDING COMMITTEES

April 11, 1973

SUBSTITUTE SENATE BILL NO. 2120, Prime sponsor of original bill: Senator Sandison, imposing additional duties on council on higher education relating to technological education, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Maxie, Chairwoman; Goltz, Vice Chairman; Benitz, Charnley, Erickson, King, Kraabel, Rabel, Valle, Wojahn.

April 10, 1973

SENATE BILL NO. 2307, Prime Sponsor: Senator Gardner, implementing law relating to type and size of third class school district boards, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, following section 6 insert six new sections as follows:

"NEW SECTION. Sec. 7. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW a new section to read as follows:

Notwithstanding any other provision of law, any school district, other than school districts of the first class having an enrollment of seventy thousand pupils or more in class AA counties, having an enrollment of one thousand pupils or more for any past three consecutive years shall then be divided into five director districts: PROVIDED, That a number of registered voters residing in the school district equal to five percent of those voters who voted in the last general election shall have presented a petition to the school board requesting that such director districts be formed. The boundaries of such director districts shall be established by the members of the school board and approved by the county committee on school district organization, such boundaries to be established so that each such district shall comprise, as nearly as practicable, an equal portion of the population of the school district. Boundaries of such director districts shall be adjusted by the school board and approved by the county committee after each federal decennial census if population change shows the need thereof to comply with the equal population requirement above. No person shall be eligible for the position of school director in any such director district unless such person resides in the particular director district. Residents in the particular director district desiring to be a candidate for school director shall file their declarations of candidacy for such director district and for the position of director in that district and shall be voted upon in the primary election by the registered voters of that particular director district: PROVIDED, That if not more than one person files a declaration of candidacy for the position of school director in any director district, no primary election shall be held in that district, and such candidate's name alone shall appear on the ballot for the director district position at the general election. The name of the person who receives the greatest number of votes and the name of the person who receives the next greatest number of votes at the primary for each director district position shall appear on the general election ballot under such position and shall be voted upon by all the registered voters in the school district. Except as provided in section 8 of this 1973 amendatory act, every such director so elected in school districts divided into five director districts shall serve for a term of four years.

NEW SECTION. Sec. 8. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW a new section to read as follows:

Within thirty days after the effective date of this 1973 amendatory act, 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 shall establish the director district boundaries and obtain approval thereof by the county committee on school district organization. Whenever such school district is divided

into directors' districts, 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 thereof shall be elected as otherwise provided in section 7 of this 1973 amendatory act, who, upon being so elected and qualified, shall serve four year terms.

Sec. 9. Section 2, chapter 10, Laws of 1970 ex. sess. and RCW 29.21.180 are each amended to read as follows:

No primary shall be held relating to the office of state superintendent of public instruction or ~~((, except))~~ for school districts of the first class having an enrollment of seventy thousand pupils or more in class AA counties ~~((,))~~ or school districts divided into director districts under sections 7 and 8 of this 1973 amendatory act, ~~((officers of other first class school districts))~~ if, after the last day allowed for candidates to withdraw, there are no more than two candidates filed for each position to be filled. In such event all candidates concerned shall be notified. Names of candidates that would have been printed upon the primary ballot, but for the provisions of this section, shall be printed upon the general election ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates.

Sec. 10. Section 29.21.210, chapter 9, Laws of 1965 as amended by section 2, chapter 131, Laws of 1969 and RCW 29.21.210 are each amended to read as follows:

~~((Except))~~ For school districts of the first class having an enrollment of seventy thousand pupils or more in class AA counties ~~((,))~~ or school districts divided into director districts under sections 7 and 8 of this 1973 amendatory act, the positions of school directors for school districts ~~((embracing a city of over one hundred thousand population))~~ and the candidates therefor shall appear separately on the nonpartisan ballot in substantially the following form:

SCHOOL DIRECTOR ELECTION BALLOT

To vote for a person make a cross (X) in the square at the right of the name of the person for whom you desire to vote.

School District Directors

.....to be nominated

No. 1

Vote for One

.....  
 .....  
 .....

No. 2

Vote for One

.....  
 .....  
 .....

To Fill Unexpired Term  
No. ....  
2 (or 4) year term  
Vote for One

.....  
.....  
.....

Sec. 11. Section 29.21.230, chapter 9, Laws of 1965 as amended by section 3, chapter 131, Laws of 1969 and RCW 29.21.230 are each amended to read as follows:

((Except)) For school districts of the first class having an enrollment of seventy thousand pupils or more in class AA counties(7) or school districts divided into director districts under sections 7 and 8 of this 1973 amendatory act, the name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes at the primary for a school district position of school director ((for school districts embracing a city of over one hundred thousand population)) shall appear on the general election ballot under the designations therefor ([: PROVIDED; That if any candidate for a position receives a majority vote, his name alone shall be placed on the general election ballot for that position]).

NEW SECTION. Sec. 12. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW a new section to read as follows:

The provisions of RCW 28A.57.415, as now or hereafter amended, shall not be applicable to school districts divided into director districts under sections 7 and 8 of this 1973 amendatory act."

Renumber the remaining section consecutively  
Strike all of the title and insert:

"AN ACT Relating to school districts, including school district organization; 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 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."

Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hoggins, Johnson, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Hayner, Polk, Tilly.

April 11, 1973

SUBSTITUTE SENATE BILL NO. 2328, Prime sponsor of original bill: Senator Walgren, adopting the highways budget, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

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 moneys 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 525 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 the remaining sections consecutively

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 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 intermodal 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 overall 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"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gaines, Gallagher, Gilleland, Hansen, Laughlin, Leckenby, Nelson, Patterson, Schumaker.

April 11, 1973

SENATE BILL NO. 2352, Prime Sponsor: Senator Sandison, 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 Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Amen, Blair, Kuehnle, Martinis, McCormick, North (Frances), O'Brien, Smythe, Sommers, Zimmerman.

April 11, 1973

SENATE BILL NO. 2590, Prime Sponsor: Senator Walgren, revising provisions regarding urban arterial trust account funds, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Ceccarelli, Clemente, Gaines, Gallagher, Gilleland, Hansen, Kraebel, Laughlin, Lysen, Nelson, Patterson, Schumaker.

April 11, 1973

SENATE BILL NO. 2890, Prime Sponsor: Senator Odegaard, setting forth rights to property utilized by the Southwest Washington fair and transferring certain property, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bauer, Ehlers, Gaines, Hendricks, Hurley, Lysen, Perry, Thompson.

April 11, 1973

SENATE JOINT MEMORIAL NO. 123, Prime Sponsor: Senator Day, memorializing Congress to critically review the proposed merger of the Milwaukee Road into the Burlington Northern complex, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Ehlers, Gaines, Hurley, Lysen, Perry, Thompson.

April 10, 1973

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127, Prime Sponsor: Senator Gardner, mandating study to develop procedure for screening certain children with learning disabilities, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hayner, Hendricks, Hoggins, Lysen, Pullen, Smythe, Warnke.

MOTIONS

Mr. Thompson moved that all standing committee reports listed on the supplemental fifth order of business sheet be passed to Rules Committee for second reading with the exception of SUBSTITUTE SENATE BILL NO. 2328.

The motion was carried.

On motion of Mr. Thompson, the rules were suspended and Substitute Senate Bill No. 2328 was advanced to second reading.

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

On motion of Mr. Charette, the House was adjourned until 9:30 a.m., Thursday, April 12, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## THIRTY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 12, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Julin who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Bishop Wilbur Choy of the United Methodist Church of Seattle.

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

## MESSAGES FROM THE SENATE

April 10, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2366,

ENGROSSED SENATE BILL NO. 2385,

ENGROSSED SUBSTITUTE SENATE BILL NO. 2813,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 11, 1973

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2540,

SUBSTITUTE SENATE BILL NO. 2717,

ENGROSSED SENATE BILL NO. 2866,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 11, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2669,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 11, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 552,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 10, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 821,  
HOUSE BILL NO. 1019,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 11, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 827,  
SUBSTITUTE HOUSE BILL NO. 944,  
HOUSE JOINT RESOLUTION NO. 40,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SENATE AMENDMENTS TO HOUSE BILL

April 8, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 105 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" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Maxie, the House concurred in the Senate amendments to Engrossed House Bill No. 105.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 105 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 105 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 0.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Eng, Erickson, Hoggins, Julin, Kraabel, Lysen, Newhouse, Tilly, Van Dyk.

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

## SENATE AMENDMENTS TO HOUSE BILL

April 9, 1973

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 392 with the following amendments:

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" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Knowles, the House concurred in the Senate amendments to Substitute House Bill No. 392.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 392 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 392 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 10; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bagnariol, Beck, Ceccarelli, Gallagher, Haussler, Hurley, North F., O'Brien, Parker, Warnke.

Not voting: Representatives Bender, Hoggins, Julin, Perry, Tilly, and Mr. Speaker.

Substitute House Bill No. 392 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I wish my vote on the final passage of Substitute House Bill No. 392 to be recorded as a "nay" vote. I was in the wings conferring on a budget matter, and my seatmate missed my signal.

Before I could change to my proper vote, the machine was locked.

JERRY C. KOPET, 6th District.

## SENATE AMENDMENTS TO HOUSE BILL

April 10, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 369 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)

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Conner, the House concurred in the Senate amendments to House Bill No. 369.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 369 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 369 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoeh, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hoggins, Julin.

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 AMENDMENTS TO HOUSE BILL

April 10, 1973

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 306 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"

On page 10, section 10, line 31 after "application" and before "under" strike "and obtaining a ruling thereon" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Luders, the House concurred in the Senate amendments to Substitute House Bill No. 306.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 306 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 306 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Julin.

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 AMENDMENT TO HOUSE BILL

April 10, 1973

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 722 with the following amendments:

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)."

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, 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 Enrolled Senate Bill 2525, as an account of the distribution of such contributions, and thereafter such additional information as the director may require." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mrs. Wojahn moved that the House concur in the Senate amendments to Substitute House Bill No. 722.

Representatives Wojahn and Eikenberry spoke in favor of the motion, and the motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 722 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 722 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett,

Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North P., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Julin.

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.

SENATE AMENDMENTS TO HOUSE BILL

April 8, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 324 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:

((4)) (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;

((3)) (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 preceding 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((7 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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Williams, the House concurred in the Senate amendments to Engrossed House Bill No. 324.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 324 as amended by the Senate.

Mr. Kopet spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 324 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Benitz, Berentson,



Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoeh, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bender, Julin.

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.

SENATE AMENDMENTS TO HOUSE BILL

April 7, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 993 with 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 1, section 3, line 18 of both the printed and engrossed bills, after "officer" strike ", agent, or employee"

On page 2, line 29, of both the printed and engrossed bills, after "both." add a new section as follows:

"NEW SECTION. Sec. 7. Any person who violates section 4 or section 11 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: 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.

On page 3, line 12 after "through" strike "8" and insert "11"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTIONS

Mrs. Valle moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 993.

Mrs. Valle spoke in favor of the motion.

Mr. Newhouse moved that the question be divided, and that the third and fourth Senate amendments be considered separately from the first, second, and fifth amendments.

The motion was lost.

Representatives Kuehnle and Newhouse spoke against the motion to concur in the Senate amendments.

Mr. Kuehnle spoke again in opposition to the motion.

## PARLIAMENTARY INQUIRY

Mr. Kuehnle: "May I make a point of parliamentary inquiry, Mr. Speaker?"

The Speaker (Mr. O'Brien presiding): "State your point of parliamentary inquiry."

Mr. Kuehnle: "May I, at this time, move again for the division of the question?"

The Speaker (Mr. O'Brien presiding): "The division of the question has already been decided."

## POINT OF ORDER

Mr. Swayze: "Rule 60 provides: 'Any member may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the house.' I think that is consistent with Reed's Rules, when a member asks for a division of a question, if they are distinct amendments, I don't think it is necessary under our rules to put it to a debate of the House. I think a member has the right to ask for a division."

The Speaker (Mr. O'Brien presiding): "I could probably tell you how to do it, but you are still on the wrong rule. Reed's Rules 151 and 152 state rather clearly that a division cannot be demanded as a right by any member. 'It must be made pursuant to a motion stating precisely the division asked for, which motion can be amended.' Your point of order citing Rule 60 doesn't pertain to this question. The motion was made that the House concur with the Senate amendments to Engrossed Substitute House Bill No. 993, and subsequently a motion was made to divide the question, which motion was defeated. I think all these motions have been in order. You are raising a further point that is still not on it."

## MOTION FOR RECONSIDERATION

Mr. Barden, having voted on the prevailing side, moved that the House do now reconsider the vote by which the motion by Mr. Newhouse to divide the question was defeated.

## SPEAKER'S INQUIRY

The Speaker (Mr. O'Brien presiding): "Did you vote on the prevailing side?"

Mr. Barden: "Yes."

Mr. Barden spoke in favor of the motion to reconsider the motion by Mr. Newhouse.

The motion was carried on a rising vote.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Newhouse that the question be divided, and that the third and fourth Senate amendments be considered separately from the first, second and fifth amendments.

The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Newhouse that the House concur in the first, second and fifth Senate amendments to Engrossed Substitute House Bill No. 993.

Mr. Kuehnle spoke in favor of the motion.

## POINT OF ORDER

Mr. Charnley: "Mr. Speaker, I would suggest that the last amendment should not be considered until after we have considered the third and fourth amendments. If those are not accepted, then we should not renumber the sections."

The Speaker (Mr. O'Brien presiding): "Your point appears to be well taken."

## POINT OF ORDER

Mr. Swayze: "The same reasoning applies with the first amendment which is the title amendment, because if we don't concur in the fourth amendment, which sets the effective date, then the concurrence in the title amendment would not be proper."

The Speaker (Mr. O'Brien presiding) stated that the motion to concur in the first, second and fifth Senate amendments was withdrawn.

## MOTION

Mrs. Valle moved that the House do concur in the Senate amendment to page 2, adding a new section 7.

Mrs. Valle spoke in favor of the motion.

## PARLIAMENTARY INQUIRY

Mr. Swayze: "What is the motion before the body?"

The Speaker (Mr. O'Brien presiding): "The motion is to concur with the third Senate amendment to Engrossed Substitute House Bill No. 993."

Representative Swayze spoke against the motion, and Representatives Moon, Kilbury and Valle spoke in favor of it.

The motion was carried on a rising vote.

## MOTION

Mrs. Valle moved that the House do concur in the Senate amendment to page 3, adding a new section 11 to Engrossed Substitute House Bill No. 993.

Representative Valle spoke in favor of adoption of the amendment, and Representatives Kuehnle and Moon spoke against it.

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

Mr. Curtis spoke against the motion to concur in the Senate amendment.

## PARLIAMENTARY INQUIRY

Mrs. Valle: "Is it possible for me to amend this amendment?"

The Speaker (Mr. O'Brien presiding): "No, it isn't possible for you to amend it. It is a Senate amendment. That can only be done in free conference."

## PARLIAMENTARY INQUIRY

Mrs. Hurley: "If section 11 is not adopted, and the section that was just adopted is adopted, and section 7 relates to section 11, then it is going to have to go to conference in order to clear that up. Is that true?"

The Speaker (Mr. O'Brien presiding): "Well, we will see what happens."

Representatives Blair and Wojahn spoke against the motion to concur.

## ROLL CALL

The Clerk called the roll on the motion by Mrs. Valle that the House concur in the Senate amendment adding a new section 11 to Engrossed Substitute House Bill No. 993, and the motion was lost by the following vote: Yeas, 12; nays, 82; not voting, 4.

Voting yea: Representatives Bender, Clemente, Conner, Fortson, Johnson, Kilbury, King, Knowles, Lysen, Maxie, Savage, Valle.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Jueling, Julin, Kalich, Kelley, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Charette, Patterson, Thompson, Tilly.

The Speaker (Mr. O'Brien presiding) stated that by its action the House refused to concur in the Senate amendment and asked the Senate to recede therefrom.

## MOTIONS

Mrs. Valle moved that the House do not concur in the Senate amendments to page 1, line 2 of the title, and page 3, line 12, and that the Senate be asked to recede therefrom.

The motion was carried.

On motion of Mrs. Valle, the House concurred in the Senate amendment to page 1, line 18 of Engrossed Substitute House Bill No. 993.

## INTRODUCTION AND FIRST READING

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.

To Committee on Judiciary.

ENGROSSED SENATE BILL NO. 2669, by Senators Van Hollebeke, Marsh, Gardner, Whetzell, 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.

To Committee on Labor.

SUBSTITUTE SENATE BILL NO. 2717, by Committee on Judiciary (Originally sponsored by Senators Durkan, Peterson (Ted), Sandison and Walgren):

AN ACT Relating to a crime intelligence unit; adding new sections to chapter 43.43 RCW; defining crimes; prescribing penalties; and declaring an emergency.

#### MOTION

On motion of Representative Charette, the rules were suspended and Substitute Senate Bill No. 2717 was placed on second reading.

ENGROSSED SENATE BILL NO. 2866, by Senators Donohue and Odegaard:

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.

To Committee on Ways and Means - Revenue.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker signed:

HOUSE BILL NO. 127,  
 HOUSE BILL NO. 483,  
 HOUSE BILL NO. 576,  
 HOUSE BILL NO. 595,  
 HOUSE BILL NO. 821,  
 HOUSE BILL NO. 1019,  
 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.

## MOTION

On motion of Mr. Charette, the House recessed until  
1:45 p.m.

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AFTERNOON SESSION  
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The House was called to order at 1:45 p.m. by the  
Speaker (Mr. O'Brien presiding). The Clerk called the roll  
and all members were present except Representative Martinis  
who was excused.

## MOTION

Mr. Thompson moved that the House immediately  
consider SUBSTITUTE SENATE BILL NO. 2328.

The motion was carried.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 2328, by Committee on  
Transportation and Utilities (Originally sponsored  
by Senators Walgren, Guess and Henry):

Adopting the highway budget.

Committee on Transportation and Utilities  
recommendation: Majority, do pass as amended. (For  
amendments, see yesterday's Journal, April 11, 1973.)

The bill was read the second time.

On motion of Mr. Perry, the committee amendment to  
page 2, line 4 was adopted.

Mr. Perry moved adoption of the committee amendment  
to page 2, beginning on line 30.

Representatives Perry and Kraabel spoke in favor of  
adoption of the amendment.

Mr. Perry spoke again in favor of the amendment, and  
the amendment was adopted.

On motion of Mr. Perry, the five committee amendments to page 2, line 33, and the committee amendments to page 3, line 10; page 4, line 10; page 5, lines 3, 4, and 11; and page 5, line 16 were adopted.

Mr. Perry moved adoption of the committee amendment to page 5, line 23.

Mr. Berentson moved adoption of the following amendment to the committee amendment:

Substitute the following for the committee amendment to page 5, line 23:

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 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 motor vessel San Diego 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: PROVIDED, FURTHER, In the event of acquisition of the assets of Olympic Ferries, Inc., including the certificate of convenience and necessity by the Toll Bridge Authority, the Authority shall operate the ferry route but only between the period of April 15 and October 15 of each year"

Representatives Berentson and Amen spoke in favor of adoption of the amendment, and Representatives Conner and Charnley spoke against it.

#### POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Leckenby.

Mr. Leckenby: "If this amendment is adopted, along with the other one, would the purchase take place immediately, or would it take place after the season of this year, in other words after October 15?"

Mr. Berentson: "Well, it was in the judgment of the director of highways that this would allow them to purchase immediately. He seemed to think that with the language of the committee amendment that there was every reason to believe that the Olympic Ferries, Inc., would opt to hold onto the business until after the rush season or into September, and thereby pick up the profits, which is a profitable operation for that period of time, I understand. Again, I would just like to state that I don't think this amendment to the amendment injures the intent in any way, and I preferably would like to think that we should go back and count on the research of our own highway department rather than a chamber of commerce somewhere. I feel very strongly that in the proviso also, where we are naming the dates April 15 to October 15, that is the only time the ferry is operating now, and I'm sure as ferry traffic



increases that they would probably expand the service anyway. But involved in this, and in final answer to your question, is the necessity for them of relinquishing their franchise, or what we call a certificate of convenience and necessity. And with that language of 'prior to September 1,' they could choose not to do it until that time. This will give us, in the opinion of the director of highways, that protection and I think a lot better deal for the state of Washington, which is really buying out a very poor business risk right now."

Mr. Leckenby: "Does the language where you state, 'including the certificate of convenience and necessity' mean the toll bridge authority would make the purchase immediately? There is nothing here to say when the purchase would be made. It seems to me that this should be pinned down."

Mr. Berentson: "Well, they are instructed to make the purchase. And as I was advised, this language would allow them to make the purchase immediately rather than running through September of the busy year. If you question the language, that is one thing. I have been informed that this is the language that, in the opinion of the department of highways and their counsel, would accomplish that purpose."

Mr. Leckenby spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I am concerned about the proviso on the end of Representative Berentson's amendment. I think it makes some sense, but I think that the people here should be informed. In my understanding, the frequency of service can be cut back during the winter months as the traffic is reduced. Is that correct?"

Mr. Conner: "Representative Douthwaite, that is correct. The toll bridge authority presently has the authority, relative to the other state route, relative to the amount of travel, whenever there are peak periods, or during the year, we have different times. And it is not the intent of the community nor myself at the present time for year-round travel service. But it is the concern of the community that they be assured that there be service there. Representative Leckenby said the owners might sink the boat. This is one of the concerns we have now--that there is no liability. That boat is incorporated. If you had a tragedy, and that boat sank, there would be nothing to attach. And so anybody who travels across that route is really risking himself."

Mr. Kraabel spoke in favor of adoption of the amendment to the committee amendment, and Mr. Savage spoke in opposition to it.

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

Mr. Berentson closed debate, speaking again in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Berentson to the committee amendment to Substitute Senate Bill No. 2328, and the amendment to the amendment was lost by the following vote: Yeas, 38; nays, 57; not voting, 3.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Flanagan, Freeman, Garrett, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Kopet, Kraabel, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Haussler, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bausch, Julin, Kuehnle.

The committee amendment to page 5, line 23, was adopted.

On motion of Mr. Perry, the committee amendment adding a new section 6 was adopted.

Mr. Bausch moved adoption of the following amendment to Substitute Senate Bill No. 2328:

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"

Representatives Bausch and Hendricks spoke in favor of the amendment.

#### MEMBER EXCUSED FROM VOTING

Mr. Hendricks: "Mr. Speaker, I do have a conflict of interest, and I wonder if I might be excused from a vote on this particular amendment."

The Speaker (Mr. O'Brien presiding): "Mr. Hendricks desires to be excused from voting on the amendment by Mr. Bausch on the basis that he has a private interest in the adoption of this amendment and therefore possibly might profit by the action on it. On that basis, the Speaker is excusing Mr. Hendricks from voting on Mr. Bausch's amendment."

Mr. Perry: "Mr. Speaker, I would like to agree with the fact that Mr. Hendricks should be excused but I think you should make it very clear that he hasn't got any sinister interests. He has had a business there for a long time, before they ever thought of any of this. This could be misinterpreted. He has not, that I know of, any commercial interest relative to this, and he has owned a business there for a long time. Mr. Hendricks, as far as you personally benefiting, you would not benefit any more than what everybody else would benefit there. Is that correct?"

Mr. Hendricks: "Yes, I have a business interest there that has been established for years."

Representatives Charnley and Bender spoke in favor of adoption of the amendment.

The amendment by Mr. Bausch was adopted.

Mr. Savage moved adoption of the following amendment by Representatives Savage and Conner to Substitute Senate Bill No. 2328:

On page 2, section 1, line 33 after "of Fairfield" and before the period insert ": PROVIDED, That the highway commission is authorized and directed to expend \$50,000 or so much thereof as may be necessary for design of an underpass at the Kamilche crossing on State Route 101 near Shelton"

Representatives Savage and Bausch spoke in favor of adoption of the amendment, and Representatives Perry and Kraabel spoke against it.

The amendment by Representatives Savage and Conner to Substitute Senate Bill No. 2328 was not adopted.

Mrs. Hurley moved adoption of the following amendment:

On page 2, section 1, line 33 after "of Fairfield" and before the period insert ": PROVIDED, FURTHER, That the State Highway Commission shall make no expenditures during 1973-75 biennium on the Spokane North-South Freeway; specifically, those projects listed in the priority program as state project 62128A - SR 90 to Trent Avenue, state project 62128B - Trent Avenue to Francis Avenue, and 62128C - Francis Avenue to existing SR 2. Nor shall the projects listed be reprogrammed for construction until such time as a study of the corridor alternatives can be made, with recommendations thereto, by the Legislative Transportation Committee in cooperation with the State Highway Commission."

Representatives Hurley, Luders and May spoke in favor of adoption of the amendment, and Representatives Perry and Amen spoke against it.

Mrs. Hurley spoke again in favor of the amendment.

Mr. Kraabel spoke against adoption of the amendment, and Mr. Barden spoke in favor of its adoption.

Mr. Charette demanded the previous question and the demand was sustained.

The amendment by Mrs. Hurley was lost on a rising vote.

Mr. Kraabel moved adoption of the following amendment to Substitute Senate Bill No. 2328:

On page 2, section 1, line 33 after "of 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"

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

On motion of Mr. Perry, the following amendment was adopted:

On page 6, beginning on line 9, following the new section as added by the committee amendment, 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 section.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2328 as amended by the House was placed on final passage.

Representatives Perry and Kraabel spoke in favor of the bill.

The Speaker assumed the Chair.

Representatives Charette, Anderson and Douthwaite spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2328 as amended by the House, and the bill passed the House by the following vote: Yeas, 83; nays, 12; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Beck, Cunningham, Eikenberry, Kopet, Kraabel, Lysen, Matthews, Moon, Polk, Rabel, Sommers.

Not voting: Representatives Eng, Goltz, Julin.

Substitute Senate Bill No. 2328 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I voted "no" on Substitute Senate Bill No. 2328 as amended by the House in order to qualify for the conference committee if it goes to conference.

C. W. "RED" BECK, 26th District.

#### MOTION

Mr. Thompson moved that the Rules Committee be relieved of SENATE BILL NO. 2337, SENATE BILL NO. 2552, and SENATE BILL NO. 2590, and that the bills be placed on the second reading calendar for immediate consideration.

The motion was carried.

## SECOND READING

SENATE BILL NO. 2337, by Senators Walgren, Guess and Henry  
(by Executive request):

Making appropriations for city streets, county roads, and other nonstate highways.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendment, see yesterday's Journal, April 11, 1973.)

The bill was read the second time.

On motion of Mr. Perry, the committee amendment was adopted.

On motion of Mr. Perry, the following amendment was adopted:

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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2337 as amended by the House was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2337 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson,

Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Kraabel, Rabel.

Not voting: Representatives Julin, Kuehnle, Leckenby, Nelson.

Senate Bill No. 2337 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE 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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2552 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2552, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Flanagan.

Not voting: Representatives Curtis, Julin, Nelson.

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. 2590, by Senators Waigren and Wanamaker (by Department of Highways request):

Revising provisions regarding urban arterial trust account funds.

The bill was read the second time.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Senate Bill No. 2590 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2590, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Julin.

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.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 552,  
HOUSE BILL NO. 827,  
SUBSTITUTE HOUSE BILL NO. 944,  
HOUSE JOINT RESOLUTION NO. 40.



MOTIONS

On motion of Mr. Thompson, ENGROSSED SUBSTITUTE SENATE BILL NO. 2104 was rereferred to the Committee on Rules.

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

Mr. Thompson moved that the Rules Committee be relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 2740 and ENGROSSED SUBSTITUTE SENATE BILL NO. 2800, and that the bills be placed on the third reading calendar for immediate consideration.

The motion was carried.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2740, as amended by the House, 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.

Representatives Bagnariol and Shinpoch spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Shinpoch, I am looking at the language on page six, dealing with the two percent increase for community college faculty. I wanted to ask you if it was intended that the language here allow each community college board to have the independence to use these funds for salary increases as they would establish in conjunction with bargaining with their faculties. I would like to know if they have that freedom."

Mr. Shinpoch: "Representative Charnley, we had a considerable amount of discussion on the supplemental budget on whether the \$40.00 money that was going through was going into a pool to be used as merit money, or whether that was cost-of-living. This two percent is to be used as a merit pool, to be used as the administration decides to give it out. That is our intent."

PERSONAL PRIVILEGE

Mr. Kopet: "I want to respond to Representative Shinpoch. He kind of took me breathless and unawares. It took me a minute to collect myself. It has been a

privilege for me to work this time with Representative Shinpoch, and I was in an unusual position. I could have been either responsible or irresponsible. It was quite a choice for me when I first started out, and I was going to be antagonistic, and I was going to fight, and I was going to do all sorts of things to embarrass the other side of the aisle. I think when it came right down to it, working with Bud, and having an opportunity to have my ideas explored, with him helping me and me helping him, I came to the conclusion the only thing I could do was be responsible under his leadership. So I appreciate this opportunity to respond that I think he is a great guy, too. But what is going to happen is I'm going to have to get up here and oppose him. Yesterday when we had the comments and the back and forth and the political play, he finally came over to me and he swore and said 'Listen, if you've got so many pitchers, I'm going to have to get some more catchers over here.' But anyway, what we did, we did for the good of the state. We have philosophical differences, and I'll outline some of those a little while later, but I certainly appreciate Bud's regard for me, and I certainly have a high regard for him. Thank you."

Representatives Patterson and Kopet spoke against passage of the bill, and Representative Shinpoch spoke again in favor of its passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2740 as amended by the House, and the bill passed the House by the following vote: Yeas, 60; nays, 32; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kilbury, Knowles, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Benitz, Blair, Bluechel, Brown, Cunningham, Curtis, Freeman, Gallagher, Garrett, Gilleland, Hansey, Hayner, Hoggins, Juelling, Kelley, King, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Moon, Morrison, Newhouse, North L., Pardini, Paris, Polk, Smythe, Swayze, Tilly, Zimmerman.

Not voting: Representatives Barden, Berentson, Julin, Laughlin, Luders, Nelson.

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.

## STATEMENT FOR THE JOURNAL

Higher Education Budget  
(ESSB 2740)

This budget was inadequate. There were unmet needs in community colleges as well as some four-year colleges, for example:

1. Community colleges must be given their place in the sun as the provider of more education for more students than all four-year schools combined. Yet, they are a "stepchild" in the budgetary process. The part-time salary mandate also ties the hands of administrators.

2. Schools like Central Washington have truly developed programs of an improved and innovative nature in the field of teacher education. Even though we have demanded this kind of performance and they have demonstrated the value, this budget refuses to support it financially in the interest of legislators saying, "We have cut government spending, we have saved money for the taxpayer." The money is available, and vital priorities have been violated without regard to long-term effect.

DICK SMYTHE, 49th District,  
HAROLD S. (HAL) ZIMMERMAN, 17th District,  
WILLIAM N. PARIS, 18th District.

## STATEMENT FOR THE JOURNAL

I did not realize final passage of Engrossed Substitute Senate Bill No. 2740 was called and was standing away from my desk when the vote was taken. I was conferring with caucus legal counsel regarding proposed amendments to Senate Bill No. 2841 and did not reach my voting lever prior to the Speaker locking the vote machine. I intended to vote "no."

PAUL BARDEN, 33rd District.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2800, as amended by the House, 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.

Representatives Bagnariol and Shinpoch spoke in favor of passage of the bill and Representative Kopet spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2800 as amended by the House, and the bill passed the House by the following vote: Yeas, 56; nays, 41; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli,

Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Chatalas, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Kelley, King, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Rabel, Smythe, Swayze, Tilly, Zimmerman.

Not voting: Representative Julin.

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 ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I voted "no" on the Appropriations Budget for Social and Health Services because of differences pursuant to priorities.

Among these were:

1. The decision to not fund necessary supervision for the proper placement and monitoring of retarded children discharged from institutions to be located in local communities.

2. The refusal to adequately fund the juvenile delinquency prevention program which will adversely impact a most worthy program.

3. The lack of needed financial base for community mental health programs.

In my judgment these determinations will not only prove to be more costly, economically, but most assuredly in terms of human neglect to which the price tag defies any measure known to man.

WILLIAM N. PARIS, 18th District.

We join Representative Paris in this statement.

HAROLD S. (HAL) ZIMMERMAN, 17th District,

DICK SMYTHE, 49th District.

ENGROSSED HOUSE BILL NO. 662, by Representatives Parker, Fortson and Rabel:

Relating to liability of persons withdrawing blood.

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

Mr. Parker spoke in favor of passage of the bill, and Mr. Charette spoke against it.

Mr. Parker spoke again in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 662, and the bill failed to pass the House by the following vote: Yeas, 47; nays, 49; not voting, 2.

Voting yea: Representatives Amen, Bender, Berentson, Blair, Bluechel, Brown, Chatalas, Clemente, Curtis, Douthwaite, Eikenberry, Erickson, Flanagan, Fortson, Freeman, Garrett, Gilleland, Hansey, Hendricks, Jueling, Kelley, Knowles, Kopet, Kraabel, Leckenby, Luders, Matthews, Morrison, Nelson, Newhouse, North F., North L., Paris, Parker, Patterson, Polk, Rabel, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Valle, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Benitz, Ceccarelli, Charette, Charnley, Conner, Cunningham, Ehlers, Ellis, Eng, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Laughlin, Lysen, Martinis, Maxie, May, McCormick, Moon, O'Brien, Pardini, Perry, Pullen, Randall, Shinpoch, Thompson, Tilly, Van Dyk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Julin, Kuehnle.

Engrossed House Bill No. 662, having failed to receive the constitutional majority, was declared lost.

## NOTICE OF RECONSIDERATION

Mr. Tilly served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Engrossed House Bill No. 662 failed to pass the House.

## MOTION

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

## SECOND READING

HOUSE BILL NO. 627, by Representatives Martinis, Conner and Barden:

Regulating commercial salmon fishing.

## MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 627 and the bill was ordered placed on the second reading calendar following House Bill No. 1108.

HOUSE BILL NO. 704, by Representatives Bluechel, Perry and Kopet (by Executive request):

Planning and funding of capitol office facilities.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal for thirty-first day, Ex. Sess., April 8, 1973.)

The bill was read the second time.

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

On motion of Mr. Williams, the following amendment by Representatives Shinpoch and Williams was adopted:

On page 1, section 1, line 19 before "thousand" strike "twenty-two million five hundred" and insert "twenty-four million eight hundred fifty"

House Bill No. 704 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 704 was placed on final passage.

Mr. Williams spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 704, and the bill passed the House by the following vote: Yeas, 76; nays, 20; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Cunningham, Eikenberry, Flanagan, Freeman, Gilleland, Hansey, Kelley, Kuehnle, Leckenby, North L., Pardini, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Not voting: Representatives Chatalas, Julin.

Engrossed House Bill No. 704, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1053, by Representative Perry:

Implementing laws related to a Neighbors in Need, Washington program.

## MOTION

On motion of Mr. Williams, Substitute House Bill No. 1053 was substituted for House Bill No. 1053, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1053 was read the second time.

Mr. Polk moved adoption of the following amendment by Representatives Polk and Benitz:

On page 1, section 1, line 9 after "income." strike the remainder of the section.

Representatives Polk and Perry spoke in favor of the amendment.

The amendment was adopted.

Mr. Polk moved adoption of the following amendment by Representatives Polk and Benitz:

On page 1, section 2, line 18 after "of" strike the remainder of subsection (1) and insert "eight members consisting of the director of the department of agriculture and seven members, chosen by the Governor as follows:

(a) Five members who are either volunteers working in food banks or past or present recipients of assistance from food banks;

(b) Two members representing the food growing, processing or distribution industries."

Representatives Polk, Benitz and Perry spoke in favor of the amendment.

The amendment was adopted.

Substitute House Bill No. 1053 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1053 was placed on final passage.

Representatives Perry, Benitz and Maxie spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1053, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler,

Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Julin.

Engrossed Substitute House Bill No. 1053, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal for thirty-first day, Ex. Sess., April 8, 1973.)

The bill was read the second time.

On motion of Mr. Shinpoch, the committee amendment was adopted.

House Bill No. 1054 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1054 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1054, and the bill passed the House by the following vote: Yeas, 81; nays, 15; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk,



Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Blair, Cunningham, Eikenberry, Flanagan, Freeman, Hansen, Juelling, Kuehnle, Leckenby, Patterson, Polk, Schumaker, Tilly.

Not voting: Representatives Julin, Smythe.

Engrossed House Bill No. 1054, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

My vote should show a "yea" on final passage of Engrossed House Bill No. 1054.

KEMPER FREEMAN, JR., 48th District.

HOUSE BILL NO. 1108, by Representatives Martinis, Luders, Adams, Kalich, Hansen, Kilbury, Fortson, Parker, Jastad and Clemente:

Enhancing the propagation of wildlife.

The bill was read the second time.

Mr. Curtis moved adoption of the following amendment by Representatives Curtis, Brown and Wilson:

On page 6, after line 6, strike all of section 14

Representatives Curtis and Brown spoke in favor of the amendment, and Representative Martinis spoke against it.

The Speaker called on Mr. Ceccarelli to preside.

Mr. Luders spoke against adoption of the amendment, and Mr. Kraabel spoke in favor of it.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Barden.

Mr. Barden: "Representative Bagnariol, I wonder if you could tell me approximately how much it will cost the state general fund to put a measure like this on the statewide referendum ballot--how that might relate to the total revenue that this measure would generate if it were adopted by the people?"

Mr. Bagnariol: "I can't answer that question. I don't know what it costs to put an issue on the ballot."

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

Mr. Parker demanded the previous question and the demand was not sustained.

Representatives Martinis and Pullen spoke against adoption of the amendment.

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

Mr. Curtis closed debate, speaking in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Curtis, Brown and Wilson to House Bill No. 1108, and the amendment was lost by the following vote: Yeas, 34; nays, 60; not voting, 4.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, North L., Pardini, Paris, Polk, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Ehlers, Hurley, Morrison, Sommers.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and House Bill No. 1108 be placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the motion to advance House Bill No. 1108 to third reading and final passage, and the motion was lost by the following vote: Yeas, 63; nays, 35; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams,

Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Planagan, Freeman, Gilleland, Hansey, Hayner, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Rabel, Smythe, Swayze, Tilly, Wilson, Zimmerman.

House Bill No. 1108 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 627, by Representatives Martinis, Conner and Barden:

Regulating commercial salmon fishing.

#### MOTIONS

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 627, and the bill was ordered placed on the calendar following Engrossed Senate Bill No. 2220.

Mr. Thompson moved that the House consider immediately SUBSTITUTE SENATE BILL NO. 2407.

The motion was carried.

The Speaker resumed the Chair.

SUBSTITUTE SENATE BILL NO. 2407, by Committee on Higher Education (Originally sponsored by Senators Sandison, Atwood, Durkan and Donohue):

Creating the Washington higher education assistance authority.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2407 was placed on final passage.

Representatives Shinpoch, Goltz, Barden and Rabel spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Goltz yielded to question by Mr. Benitz.

Mr. Benitz: "Representative Goltz, does the language on page 3, section 3(7)(b), which defines the term 'disadvantaged or needy student' and states 'who demonstrates to the authority the financial inability . . . to meet . . . expenses for any semester or quarter', mean that students attending vocational programs shorter or longer than a semester or quarter would be ineligible under this act?"

Mr. Goltz: "Representative Benitz and members of the House, it definitely would not. Subsection (7) on pages 2 and 3 simply refers to a disadvantaged or needy student 'enrolled . . . in a post-secondary educational institution . . . who demonstrates to the authority financial inability . . .'

"Page 2, section 3(6) defines 'post-secondary educational institution' as 'any business, trade, technical, vocational or other occupational school approved by the commission.' It makes no mention of the length or duration of such courses. Thus, the intent of this act specifically includes vocational, technical, business, and trade schools as post-secondary educational institutions and would cover otherwise eligible students attending courses offered by such schools which may last only a portion or longer than a semester or quarter."

Representatives Benitz and Maxie spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2407, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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.

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.

## MOTION

On motion of Mr. Thompson, the House deferred consideration of Engrossed Senate Joint Resolution No. 103, and the bill was ordered placed at the bottom of today's second reading calendar.

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

Providing for the determination of comparative negligence.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2045 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2045, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Conner.

Not voting: Representative Morrison.

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.

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.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-eighth day, Ex. Sess., April 5, 1973.)

The bill was read the second time.

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

Mr. Curtis moved adoption of the following amendment:

On page 3, section 1, beginning on line 9 of the engrossed and printed bills, after "services of" strike all the material down to and including "18.83 RCW" on line 10 and insert "those classes of health care practitioners which shall be selected by the Board"

Mr. Curtis spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

The amendment was lost on a rising vote.

On motion of Mr. Williams, the committee amendments to the title were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2066 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2066 as amended by the House, and the bill passed the House by the following vote: Yeas, 76; nays, 18; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Perry, Pullen, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bluechel, Charnley, Douthwaite, Flanagan, Freeman, Gilleland, Goltz, Hayner, Kraabel, Matthews, Nelson, North L., Patterson, Polk, Rabel, Tilly, Wilson.

Not voting: Representatives Blair, Julin, Randall, Smythe.

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.

STATEMENT FOR THE JOURNAL

I was in the wings of the House discussing the Highway Budget when the roll was called on Engrossed Substitute Senate Bill No. 2066. I rushed to my desk and voted on what I thought was Engrossed Senate Bill No. 2101. My intention was to vote "nay" on Engrossed Substitute Senate Bill No. 2066. Since the vote was 76-18-4 in favor of the bill, I did not call for a revote, since changing my vote would not have affected the outcome of the passage of the bill.

C. W. "RED" BECK, 26th District.

REENGROSSED SENATE BILL NO. 2101, by Senators Durkan, Connor and Peterson (Ted):

Providing for the regulation and licensing of plumbers.

MOTION

On motion of Mr. Thompson, the House deferred consideration of Reengrossed Senate Bill No. 2101 until after consideration of Reengrossed Senate Bill No. 2183.

REENGROSSED SENATE BILL NO. 2183, by Senators Talley, Peterson (Ted) and Herr:

Licensing journeymen electricians.

The bill was read the second time.

Mr. Bagnariol moved adoption of the following amendment by Representatives Bagnariol, Wojahn, Kopet and Bauer:

On page 3, section 5, line 24 after "administer" and before "the" insert "at least twice annually"

Mr. Bagnariol spoke in favor of the amendment, and Mr. Savage spoke against it.

The amendment was adopted on a rising vote.

Mr. Kopet moved adoption of the following amendment by Representatives Bagnariol, Wojahn, Kopet and Bauer:

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,"

Representatives Kopet and Morrison spoke in favor of

the amendment, and Mr. Savage spoke against it.

The amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Reengrossed Senate Bill No. 2183 as amended by the House was placed on final passage.

Mr. Savage spoke in favor of the bill.

#### NOTICE OF RECONSIDERATION

Mr. Eikenberry served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which ENGROSSED SENATE BILL NO. 2045 passed the House.

#### POINT OF ORDER

Mr. Kelley: "My point of order is, I wonder if that notice is germane at this point of time or whether it must wait until after the actual vote and passage of this bill."

The Speaker: "We are on the third reading of this bill, and the other bill was on third reading; therefore, I think the notice of reconsideration is in order."

#### POINT OF ORDER

Mr. Smith: "My point of order is that there has been intervening business in this body since Engrossed Senate Bill No. 2045 passed this body."

The Speaker: "This is only a notice, Representative Smith, and Representative Eikenberry is allowed to give this notice at any time on this day."

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2183 as amended by the House, and the bill passed the House by the following vote: Yeas, 76; nays, 17; not voting, 5.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nays: Representatives Amen, Benitz, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Garrett, Gilleland, Kuehnle, Leckenby, Matthews, Morrison,



Newhouse, Pardini, Polk, Schumaker.

Not voting: Representatives Julin, Kopet, North L., Smythe, Wilson.

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.

STATEMENT FOR THE JOURNAL

I wish to change my vote from "no" to "aye" on Reengrossed Senate Bill No. 2183. This change is based on receiving corrected information.

WILLIAM S. "BILL" LECKENBY, 34th District.

REENGROSSED SENATE BILL NO. 2101, by Senators Durkan, Connor and Peterson (Ted):

Providing for the regulation and licensing of plumbers.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendment: On page 3, section 5, line 19 after "administer" and before "the" insert "at least twice annually"

Mr. Tilly spoke in favor of the amendment, and Mr. May spoke against it.

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

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Tilly to Reengrossed Senate Bill No. 2101, and the amendment was lost by the following vote: Yeas, 32; nays, 63; not voting, 3.

Voting yea: Representatives Amen, Blair, Bluechel, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hayner, Hendricks, Hoggins, Kopet, Kraabel, Kuehnle, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Zimmerman.

Not voting: Representatives Juelling, Julin, Kelley.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Reengrossed Senate Bill No. 2101 was placed on final passage.

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

POINT OF INQUIRY

Mr. May yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative May, I read this bill before but I have forgotten--does the bill have the language that would provide for reciprocity with other states as did the last one?"

Mr. May: "Yes sir, it does, on page 5, section 9."

Mr. Leckenby: "So that if a contractor from another state came into the state of Washington, he could bring his supervising journeyman with him, and if we were to go into another state with which we had reciprocity we could do the same thing?"

Mr. May: "That is right."

POINT OF INQUIRY

Mr. May yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative May, we discussed this a moment ago, and I was going to offer an amendment, but it could jeopardize the bill and I don't want to do that, because basically it is a good bill. But there is one small problem that I see, having been for fifteen years involved in the swimming pool contracting business (which I am not in any more, I would hasten to add), but I couldn't help but notice it. Technically speaking, the water which is contained in a swimming pool or wading pool or therapy pool is classed by the health department as potable water. And the question I would like to ask of you, then: Is that water which is contained in a swimming pool, and which is recirculated (I am talking just about the recirculatory plumbing) is it the intention that that type of plumbing is to be included in the definitions here in Reengrossed Senate Bill No. 2101?"

Mr. May: "No, Mr. Kuehnle, the definition of plumbing, as the craft involved in installing, altering, repairing and renovating potable water systems in Reengrossed Senate Bill No. 2101, is not intended to include the recirculatory systems of a swimming pool, wading pool, or therapy pool, even though technically speaking that water which is being recirculated is classed as potable."

Mr. Savage spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2101, and the bill passed the House by the following vote: Yeas, 93; nays, 5; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wjahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bluechel, Curtis, Flanagan, Schumaker.

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.

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 second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2220 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2220, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison,

Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Bluechel.

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 SUBSTITUTE SENATE BILL NO. 2250, by Committee on Transportation and Utilities (Originally sponsored by Senators Henry and Woodall):

Implementing the laws relating to motor vehicle size, weight and load.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal for thirty-second day, Ex. Sess., April 9, 1973.)

The bill was read the second time.

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

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2250 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2250 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 7; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Thompson, Tilly, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Brown, Charnley, Douthwaite, Kraabel, North L., Valle.

Not voting: Representative Swayze.

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.

#### MOTION

Mr. Martinis moved that the Committee on Natural Resources be relieved of HOUSE BILL NO. 901, and that the bill be placed on the second reading calendar to be considered immediately.

Mr. Martinis spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Kraabel.

Mr. Kraabel: "One of the problem areas that I was aware of was that during the summer period in question, the department would not be allowed any discretionary powers at all. Is that one of the areas that you did address?"

Mr. Martinis: "Yes, this is back in the bill. The problem was what would happen if (and I doubt in my mind that there will be surplus stocks at this time, but that is a personal feeling) but if there is--we have taken care of that in this bill. We have put it back in, and the parties have agreed that it is a good proviso."

The motion by Mr. Martinis was carried.

HOUSE BILL NO. 901, by Representative Martinis:

Relating to food fish and shellfish.

The bill was read the second time.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis, Fortson and Hansey:

Beginning on line 8 insert a new section as follows:  
"Sec. 2. Section 75.12.010, chapter 12, Laws of 1955 as amended by section 13, chapter 283, Laws of 1971 ex. sess. and RCW 75.12.010 are each amended to read as follows:

It shall be unlawful to fish for, catch, or take any species of salmon for commercial purposes, except as hereinafter provided, within the waters of the Straits of Juan de Fuca, Puget Sound and waters connected therewith within the state of Washington described as lying to the southerly, easterly and southeasterly of a line described as follows:

Commencing at a concrete monument on Angeles Point in Clallam county, state of Washington, near the mouth of the Elwha River on which is inscribed "Angeles Point Monument" in the latitude 48° 9'3" [north, longitude 123° 33'01" west of Greenwich Meridian; thence running east on a line 81°] 30' true from said point across the flashlight and bell buoy off Partridge Point and thence continued to where said line intersects longitude 122° 40' west; thence

north on said line to where said line intersects the southerly shore of Sinclair Island at high tide; thence along the southerly shore of said island to the most easterly point thereof; thence north  $46^{\circ}$  east true to the line of high tide at Carter Point, the most southerly point of Lummi Island; thence northwesterly along the westerly shore line at high tide of said Lummi Island to where said shore line at high tide intersects line of longitude  $122^{\circ} 40'$  west; thence north on said line to where said line intersects the mainland at the line of high tide; including within said area the southerly portion of Hale Passage, Bellingham Bay, Padilla Bay, Fidalgo Bay, Guemes Channel, Skagit Bay, Similk Bay, Saratoga Passage, Holmes Harbor, Possession Sound, Admiralty Inlet, Hood Canal, Puget Sound, and all inlets, passages, waters, waterways, and the tributaries thereof: PROVIDED, That, subject to such seasons and regulations as may be established from time to time by the director, ((fishing for salmon for commercial purposes within the above described waters with gill nets; round haul nets; and troll lines with not to exceed six hooks per boat shall be lawful; and subject to such regulations and to such shorter seasons as the director may establish from time to time)) it shall be lawful to fish for ((salmon for)) commercial purposes within the above described waters with any lawful gear for sockeye salmon during the period extending from the tenth day of June to the twenty-fifth day of the following July and for other legal salmon from the ((fifth day)) second Monday of ((October)) September to and including the thirtieth day of the following November, except during the hours beginning 4:00 o'clock p.m. of Friday and ending at 4:00 o'clock ((a.m.)) p.m. of the Sunday following; AND PROVIDED, That it shall be lawful to fish for salmon for commercial purposes with gill net gear subject to such regulations and to such shorter seasons as the director may establish from time to time prior to the second Monday in September within the waters of Hale Passage, Bellingham Bay, Samish Bay, Padilla Bay, Fidalgo Bay, Guemes Channel, Skagit Bay, and Similk Bay, to wit: Those waters northerly and easterly of a line commencing at Stanwood, thence along the south shore of Skagit Bay to Rocky Point on Camano Island; thence northerly to Polnell Point on Whidbey Island.

((AND PROVIDED, That for the privilege of purse seining in said waters during the lawful periods a seiner's permit from the director of fisheries shall be required, which permit shall issue on application and payment of a fee of ten dollars.))

AND PROVIDED, That whenever the director determines that a stock or run of salmon cannot be feasibly and properly harvested in the usual manner, and that such stock or run of salmon may be in danger of being wasted and surplus to natural or artificial spawning requirements, the director ((may)) shall maneuver units of lawful gill net gear until the second Monday in September, and thereafter, both lawful gill net and purse seine gear in any number or equivalents at his discretion, by time and area, to fully utilize such harvestable portions of these salmon runs for the economic well being of the citizens of this state, except that gill net and purse seine gear other than emergency and test gear authorized by the fisheries

department shall not be used in Lake Washington.

AND PROVIDED, That subject to such regulations and to such shorter seasons as the director may establish from time to time, it shall be lawful to fish for pink salmon for commercial purposes with any lawful gear in each odd year during the period running from the first day of August to the first day of September, both dates inclusive, in the waters lying inside of the following described line: A line commencing at a red wooden monument located on the most easterly point of Dungeness Spit and thence projected to a similar monument located at Point Partridge on Whidbey Island and a line commencing at a red wooden monument located on Olele Point and thence projected easterly to a similar monument located at Bush Point on Whidbey Island."

Mr. Martinis spoke in favor of the amendment.

The Speaker called on Mr. O'Brien to preside.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Hansey.

Mr. Hansey: "Representative Martinis, over the past years in this legislative body, there have been numerous bills that have brought about a great deal of controversy between the various commercial segments of our fishing industry. I know that you have worked hard to develop this compromise bill, and I was wondering if you would state for the record what the commitments were of the various factions of the commercial fishery interest, regarding this bill?"

Mr. Martinis: "Representative Hansey, I believe that all of these factions (and maybe that is not a good word, but there was considerable controversy over this) got together on this, and about an hour and a half ago we had the hard copy of this amendment, and we all met outside in the lobby. We agreed--or the different factions of the commercial industry agreed--shook hands, and declared an end to the gear war, and that they would not be back to this legislature, as far as they were concerned, with another bill that would present a commercial gear war. And I would like to point out that they all shook hands. And then another fine thing happened--Representative Hansey and I shook hands."

Representatives Hansey and Fortson spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Ceccarelli.

Mr. Ceccarelli: "Representative Martinis, you know in the past I have fought against any encroachment on Initiative 77 to which this amendment addresses itself. Do we also have an assurance from you that this will be the last of the encroachments on Initiative 77 from the commercial fisheries?"

Mr. Martinis: "I see no more problem there, Representative Ceccarelli. The agreement that was reached was that these parties were through with the gear war. They will not be back. As far as I am concerned, this settles it. I don't want to see any more of it--I am caught in the middle of this. I understand all of the sides of the commercial industry and the sports industry, and believe me that is a tough position to be in. This is the first time that I have been totally involved in a bill of this nature, and I just pray to God that this does iron it out. And as far as the agreement that we have reached, and we came to the moment of truth (before we reached it we were squaring off)--I feel that this is the end of the battle."

#### POINT OF INQUIRY

Mrs. Fortson yielded to question by Mr. Beck.

Mr. Beck: "Eleanor, you have assured us that the wars are over. Are you sure the keepers are taken care of?"

Mrs. Fortson: "No, I am not sure. I was looking out for the gillnetters."

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

The amendment by Representatives Martinis, Fortson and Hansey was adopted.

On motion of Mr. Martinis, the following amendment to the title was adopted:

Strike the title and insert the following:

"AN ACT Relating to food fish and shellfish; and amending section 75.12.010, chapter 12, Laws of 1955 as amended by section 13, chapter 283, Laws of 1971 ex. sess. and RCW 75.12.010."

House Bill No. 901 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 901 was placed on final passage.

Representatives Martinis and Anderson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 901, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz,



Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Shinpoch.

Not voting: Representatives Chatalas, Fortson.

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.

#### STATEMENT FOR THE JOURNAL

On final passage of Engrossed House Bill No. 901, I pushed the voting button for "yea" but it did not function.  
ELEANOR A. FORTSON, 10th District.

#### MOTION

On motion of Mr. Martinis, Engrossed House Bill No. 901 was ordered transmitted immediately to the Senate.

HOUSE BILL NO. 627, by Representatives Martinis, Conner and Barden:

Regulating commercial salmon fishing.

#### MOTIONS

On motion of Mr. Thompson, House Bill No. 627 was rereferred to the Committee on Natural Resources.

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

#### MESSAGES FROM THE SENATE

April 12, 1973

Mr. Speaker:

The President 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.

Sidney R. Snyder, Secretary.

April 12, 1973

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2096, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

April 12, 1973

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 782, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the report of the Free Conference Committee, is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

April 11, 1973

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED 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 ":(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 Mr. Curtis, the House adopted the report of the Free Conference Committee on Engrossed House Bill No. 782.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY  
FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 782 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 782 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan,

Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Eng.

Engrossed 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.

SENATE AMENDMENTS TO HOUSE BILL

April 10, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 590 with the following amendments:

On page 1, section 1, line 11 after "breeder of" strike all of the material down to and including "bred" on line 12 and insert "((thoroughbred and/or standard bred) race)"

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 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 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 concessionaires 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. 3. 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. 4. 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. 5. 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.

Sec. 6. 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 45 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 moneys, 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 moneys 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 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. 7. There is added to chapter 67.16 RCW a new section to read as follows:

Moneys 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 from any state fund other than the Horse Racing Commission Revolving Fund. 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: 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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTIONS

Mrs. Johnson moved that the House do concur in the second amendment to House Bill No. 590, and that the House do not concur in Senate amendments one and three to House Bill No. 590 and that the Senate be asked to recede therefrom.

Mr. Amen moved that the House do concur in the first and second amendment to House Bill No. 590, and that the House do not concur in the last Senate amendment and the Senate be asked to recede therefrom.

The Speaker (Mr. O'Brien presiding): "In order to eliminate some of the difficulty, in the concurrence of amendments adopted by the Senate, we will move to concur with your second amendment, Mrs. Johnson, and then we will take amendments one and three as separate motions."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion that the House do concur in the Senate amendment to page 1, line 23.

Representatives Johnson and Amen spoke in favor of the motion.

The motion was carried, and the House concurred in the Senate amendment to page 1, line 23, House Bill No. 590.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Amen that the House concur in the Senate amendment to page 1, line 11, House Bill No. 590.

Mr. Amen spoke in favor of the motion, and Mrs. Johnson spoke against it.

Mr. Amen spoke again in favor of the motion to concur in the Senate amendment.

The motion was carried on a rising vote.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion that the House do not concur in the third Senate amendment to page 2, adding new sections, and that the Senate be asked to recede therefrom.

#### MOTION

Mr. Chatalas moved that the House do concur in the third Senate amendment.

Representatives Chatalas and Pardini spoke in favor of the amendment, and Representatives Johnson, Amen and Moon spoke against it.

The motion to concur in the third Senate amendment to House Bill No. 590 was lost on a rising vote.

The Speaker (Mr. O'Brien presiding) stated that the House by its action did not concur in the Senate amendment to page 2, House Bill No. 590, and asked the Senate to recede therefrom.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker 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.

## SENATE AMENDMENTS TO HOUSE BILL

April 10, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 376 with the following amendments:

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" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Gallagher moved that the House concur in the Senate amendments to Engrossed House Bill No. 376.

Representatives Gallagher, Polk and Williams spoke in favor of the motion.

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 376 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 376 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison,

Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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.

SENATE AMENDMENTS TO HOUSE BILL

April 10, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 72C 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."

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.  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTIONS

On motion of Mr. Shinpoch, the House concurred in the Senate amendments to page 3, line 26; page 3, line 27; and page 8, line 3, Engrossed House Bill No. 720.

Mr. Shinpoch moved that the House do not concur in the Senate amendment to page 8, adding a new section following section 9.

The motion was carried.

#### MOTIONS

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

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Friday, April 13, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 13, 1973.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

Mr. O'Brien called on Mr. Charette to preside.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Thomas Hesselbrock of St. Michael's Catholic Church of Olympia.

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

The Speaker (Mr. Charette presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MESSAGES FROM THE SENATE

April 12, 1973

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 346,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 12, 1973

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 428,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

April 12, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 264 with the following amendments:

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 and the requirements of chapter 18.27 RCW if required by the provisions thereof"

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" and the same is herewith transmitted.

Sidney E. Snyder, Secretary.

#### MOTION

Mr. Kelley moved that the House concur in the Senate amendments to Engrossed Substitute House Bill No. 264.

Representatives Kelley and Smythe spoke in favor of the motion, and the motion was carried.

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

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 264 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 264 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 80; nays, 9; not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charnley, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Schumaker, Shinpoch, Smythe, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bluechel, Charette, Cunningham, Curtis, Eikenberry, Hayner, Juelling, Swayze, Thompson.

Not voting: Representatives Chatalas, Conner, Flanagan, Garrett, Julin, Kraabel, Polk, Savage, Smith.

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.

#### STATEMENT FOR THE JOURNAL

Due to technical difficulties, my "yes" vote on Engrossed Substitute House Bill No. 264 as amended by the Senate was not recorded on the electric roll call.

RICK SMITH, 23rd District.

## SENATE AMENDMENTS TO HOUSE BILL

April 10, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 753 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"

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"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Adams moved that the House concur in the Senate amendments to Engrossed House Bill No. 753.

Representatives Adams and Swayze spoke in favor of the motion, and the motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 753 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 753 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chatalas, Julin.

Engrossed House Bill No. 753 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

April 11, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 356 with the following amendments:

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 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." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Conner, the House concurred in the Senate amendments to House Bill No. 356.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 356 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 356 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 11; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines,

Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Brown, Charnley, Hoggins, Juelling, Matthews, Morrison, Nelson, Newhouse, Swayze.

Not voting: Representatives Julin, Smythe.

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.

#### STATEMENT FOR THE JOURNAL

On final passage of House Bill No. 356 as amended by the Senate, I am recorded as voting "yes." This is an error, and I intended to vote "no" on this bill.

A. J. (BUD) PARDINI, 6th District.

#### SENATE AMENDMENTS TO HOUSE BILL

April 11, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 638 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 matter down to and including "he" on line 33 and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Gaspard moved that the House concur in the Senate amendments to pages 5, 8 and 12 to Engrossed House Bill No. 638, and that the House do not concur in the Senate amendment to page 10, adding a new subsection (3), and that the Senate be asked to recede therefrom.

Representatives Gaspard and Barden spoke in favor of the motion.

The motion was carried.

#### MESSAGE FROM THE SENATE

April 11, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2226 except those listed below, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

On page 3, section 4, line 5, after "purchase" strike ", bona fide option to purchase,"

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 13, section 23, line 33 after "act" strike "and"

On page 14, section 23, line 11 strike "And" and insert "That the tenant and"

On page 15, section 24, line 21 after "tenant" strike all material down to and including "act" on line 23

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 26, beginning on line 31, strike all of section 43 and renumber the remaining sections consecutively and the bill, together with the amendments thereto, is hereby transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Knowles, the House recessed from those amendments to Engrossed Substitute Senate Bill No. 2226 as listed on the Message from the Senate.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2226 without the House amendments as listed on the Message from the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2226 without the House amendments as listed on the Message from the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze,



Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pullen.

Not voting: Representatives Bluechel, Kopet.

Engrossed Substitute Senate Bill No. 2226, without the House amendments as listed on the Message from the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### REPORTS OF STANDING COMMITTEES

April 12, 1973

HOUSE BILL NO. 832, Prime Sponsor: Representative Gilleland, changing description of state highway route number 901, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 5 after the enacting clause, strike the remainder of the bill and insert:

"NEW SECTION. Section 1. 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."

On page 1, line 1 of the title after "highways;" strike the remainder of the title and insert "and adding a new section to chapter 51, Laws of 1970 ex. sess. and to chapter 47.17 RCW."

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Berentson, Ceccarelli, Clemente, Gallagher, Gilleland, Hansen, Laughlin, Leckenby, Martinis, Patterson, Swayze.

April 12, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2085, Prime sponsor of original bill: Senator Washington, bringing Washington traffic laws into conformity with those of other states, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 25, section 39, beginning on line 18 strike all of subsection (2)

Re-number the remaining subsection consecutively

On page 28 of the engrossed substitute bill, after section 49, insert additional sections as follows:

"Sec. 50. 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 are each amended to read as follows:

Terms used in this title, with relation to roads and bridges, mean:

(1) 'Alley,' a ((public)) highway not designed for general travel and primarily used as a means of access to the rear of residences and business establishments;

(2) 'Board,' the board of county commissioners;

(3) 'Center line,' the line, marked or unmarked, parallel to and equidistant from the sides of ((the)) a two-way traffic roadway of a ((public)) highway except where otherwise indicated by painted lines or markers;

(4) 'City street,' every ((public)) highway or part thereof, located within the limits of incorporated cities and towns, except alleys;

(5) 'County engineer' shall include county director of public works;

(6) 'County road,' every ((public)) highway or part thereof, outside the limits of incorporated cities and towns and which has not been designated as a state highway;

(7) 'Department,' the department of highways of the state, or such state agency as may succeed to its powers and duties;

(8) 'Director,' the acting director of the department of highways or his duly authorized assistant;

(9) 'Highway commission,' the state highway commission as provided for in chapter 47.01 RCW;

(10) 'Pedestrian,' any person afoot;

(11) 'Private road or driveway,' every way or place in private ownership and used for travel of vehicles by the owner or those having express or implied permission from the owner, but not by other persons;

(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;

(13) 'Railroad,' a carrier of persons or property upon vehicles, other than streetcars, operated upon stationary rails, the route of which is principally outside incorporated cities and towns;

(14) 'Roadway,' the paved, improved, or proper driving portion of a ((public)) highway designed, or ordinarily used for vehicular travel;

(15) 'Sidewalk,' property between the curb lines or the lateral lines of a roadway, and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a ((public)) highway and dedicated to use by pedestrians;

(16) 'State highway,' includes every ((primary and secondary state highway or part thereof)) highway as herein defined, or part thereof, which has been designated as a state highway, or branch thereof, by legislative enactment.

Sec. 51. Section 46.04.560, chapter 12, Laws of 1961 and RCW 46.04.560 are each amended to read as follows:

'State highway' includes every ((primary and secondary state)) highway or part thereof, which has been designated as a state highway or branch thereof, by legislative enactment.

Sec. 52. 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 are each amended to read as follows:

The following words and phrases, wherever used in this title, shall have the meaning as in this section ascribed to them, unless where used the context thereof shall clearly indicate to the contrary or unless otherwise defined in the chapter of which they are a part:

(1) 'Alley.' A ((public)) highway within the ordinary meaning of alley not designated for general travel and primarily used as a means of access to the rear of residences and business establishments;

(2) 'Arterial highway.' Every ((public)) highway, as herein defined, or portion thereof designated as such by proper authority;

(3) 'Business district.' The territory contiguous to and including ((the public)) a highway, as herein defined, when ((fifty percent or more of the frontage thereon on either side thereof for a continuous distance of three)) within any six hundred feet ((or more is occupied by)) along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings, railroad stations, and public buildings which occupy at least three hundred feet of frontage on one side or three hundred feet collectively on both sides of the highway;

(4) 'Center line.' The line, marked or unmarked parallel to and equidistant from the sides of ((the)) a two-way traffic roadway of a ((public)) highway except where otherwise indicated by painted lines or markers;

(5) 'Center of intersection.' The point of intersection of the center lines of the roadways of intersecting ((public)) highways;

(6) 'City street.' Every ((public)) highway as herein defined, or part thereof located within the limits of incorporated cities and towns, except alleys;

(7) 'Combination of vehicles.' Every combination of motor vehicle and motor vehicle, motor vehicle and trailer, or motor vehicle and semitrailer ((the principal use of which is the transportation of commodities, merchandise, produce, freight or animals));

(8) 'Commercial vehicle.' Any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire;

(9) 'County road.' Every ((public)) highway as herein defined, or part thereof, outside the limits of incorporated cities and towns and which has not been designated as a state highway, or branch thereof;

(10) 'Crosswalk.' The portion of the roadway between the intersection area and a prolongation or connection of the farthest sidewalk line or in the event there are no sidewalks then between the intersection area and a line ten feet therefrom, except as modified by a marked crosswalk;

(11) 'Intersection area.' (a) The area embraced within the prolongation or connection of the lateral curb lines, or, if ((there be no curbs)) none, then the lateral ((roadway)) boundary lines((7)) of the roadways of two or

more ((public)) highways which join one another at ((an angle; whether or not such highways cross one another)), or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict;

(b) Where a highway includes two roadways thirty feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways thirty feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection;

(c) The junction of an alley with a street or highway shall not constitute an intersection;

((12)) ((<sup>4</sup>Intersection center marker<sup>4</sup>) Any standard; button; flag; painted or raised marker; or other device located at or intended to designate the approximate center of intersection;

((13)) 'Intersection control area.' The intersection area as herein defined, together with such modification of the adjacent roadway area as results from the arc or curb corners and together with any marked or unmarked crosswalks adjacent to the intersection;

((14)) (<sup>4</sup>Intersection entrance marker<sup>4</sup>) Any standard; button; flag; caution sign; stop sign; or other device located at approximately the point of intersection of the center line of an intersecting public highway with the nearest line of the intersection control area on the approach thereto;

((15)) (13) 'Laned highway.' A highway the roadway of which is divided into clearly marked lanes for vehicular traffic;

((16)) (14) 'Local authorities.' Every county, municipal, or other local public board or body having authority to adopt local police regulations under the Constitution and laws of this state;

((17)) (15) 'Marked crosswalk.' Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface thereof;

((18)) (16) 'Metal tire.' Every tire, the bearing surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material;

((19)) (17) 'Motor truck.' Any motor vehicle, as herein defined, designed or used for the transportation of commodities, merchandise, produce, freight, or animals;

((20)) (18) 'Motor vehicle.' Every vehicle, as herein defined, which is in itself a self-propelled unit;

((21)) (19) 'Multiple lane highway.' Any ((public)) highway the roadway of which is of sufficient width to reasonably accommodate ((four)) two or more separate lanes of vehicular traffic ((; two lanes)) in ((each)) the same direction, each lane of which shall be not less than ((eight feet in)) the maximum legal vehicle width, and whether or not such lanes are marked ((and whether or not the lanes of opposite bound traffic are separated by a neutral zone or other center line marking));

((22)) (20) 'Operator.' Every person who drives or is in actual physical control of a ((motor)) vehicle as herein defined ((; upon a public highway, as herein defined));

((23)) 21 'Peace officer.' Any officer authorized by law to execute criminal process or to make arrests for the violation of the statutes generally or of any particular statute or statutes relative to the ((public)) highways of this state;

((24)) 22 'Pedestrian.' Any person afoot;

((25)) 23 'Person.' Every natural person, firm, copartnership, corporation, association, or organization;

((26)) 24 'Pneumatic tires.' Every tire of rubber or other resilient material designed to be inflated with compressed air to support the load thereon;

((27)) 25 'Private road or driveway.' Every way or place in private ownership and used for travel of vehicles by the owner or those having express or implied permission from the owner, but not by other persons;

((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;

((29)) 27 'Railroad.' A carrier of persons or property upon vehicles, other than street cars, operated upon stationary rails, the route of which is principally outside incorporated cities and towns;

((30)) 28 'Railroad sign or signal.' Any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train;

((31)) 29 'Residence district.' The territory contiguous to and including the ((public)) highway, as herein defined, not comprising a business district, as herein defined, when the property on such ((public)) highway for a continuous distance of three hundred feet or more on either side thereof is in the main improved with residences or residences and buildings in use for business;

((32)) 30 'Roadway.' The paved, improved, or proper driving portion of a ((public)) highway designed, or ordinarily used for vehicular travel;

((33)) 31 'Safety zone.' The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is marked or indicated by painted marks, signs, buttons, standards, or otherwise so as to be plainly discernible;

((34)) 32 'Sidewalk.' That property between the curb lines or the lateral lines of a roadway, as herein defined, and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a ((public)) highway and dedicated to use by pedestrians;

((35)) 33 'Solid tire.' Every tire of rubber or other resilient material which does not depend upon inflation with compressed air for the support of the load thereon;

((36)) 34 'State highway.' Every ((public)) highway as herein defined, or part thereof, which has been designated as a state highway, or branch thereof, by legislative enactment;

((37)) 35 'Street car.' A vehicle other than a train, as herein defined, for the transporting of persons

or property and operated upon stationary rails principally within incorporated cities and towns;

~~((38))~~ (36) 'Traffic.' Pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances either singly or together while using any ~~((public))~~ highways for purposes of travel;

~~((39))~~ (37) 'Traffic control signal.' Any traffic device, as herein defined, whether manually, electrically, or mechanically operated, by which traffic alternately is directed to stop or proceed or otherwise controlled;

~~((40))~~ (38) 'Traffic devices.' All signs, signals, markings, and devices not inconsistent with this title placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic;

~~((41))~~ (39) 'Train.' A vehicle propelled by steam, electricity, or other motive power with or without cars coupled thereto, operated upon stationary rails, except street cars;

~~((42))~~ (40) 'Vehicle.' Every device capable of being moved upon a ~~((public))~~ highway and in, upon, or by which any person or property is or may be transported or drawn upon a ~~((public))~~ highway, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

Words and phrases used herein in the past, present, or future tense shall include the past, present, and future tenses; words and phrases used herein in the masculine, feminine, or neuter gender shall include the masculine, feminine, and neuter genders; and words and phrases used herein in the singular or plural shall include the singular and plural; unless the context thereof shall indicate to the contrary."

Renumber section 50 as section 53.

On page 1, in line 2 of the title, before "amending" insert "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;"

On page 1, in line 10 of the title, after "46.04.370;" and before "amending" insert "amending section 46.04.560, chapter 12, Laws of 1961 and RCW 46.04.560;"

On page 2 of the title, in line 22 after "46.61.780;" and before "adding" insert "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;"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; Amen, Berentson, Ceccarelli, Clemente, Gaines, Gallagher, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Nelson, Patterson, Pullen.

April 11, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2266, Prime sponsor of original bill: Senator Durkan, amending the Law Enforcement and Fire Fighters' Retirement System Request, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, section 1, line 12 of the engrossed bill, being line 9 of the printed bill, after "age of" strike all material down to and including "high school," on line 13 of the engrossed bill, being line 10 of the printed bill, and insert "~~((twenty))~~ eighteen years and eleven months or until completion of high school: or while attending any ~~((high school;))~~"

On page 12, beginning on line 33 of the engrossed bill, after "service:" strike all material down to and including "thirty years:" on line 1, page 13, being lines 18 and 19 of the amendment to page 12 by Senator Mardesich, and insert "PROVIDED, That in no event shall the total retirement benefit payable under this section exceed seventy-five percent of the member's final average salary:"

On page 31, line 16 of the engrossed bill, being page 30, line 23 of the printed bill, after "3," insert "4,"

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Bausch, Benitz, Blair, Brown, Chatalas, Erickson, Gaspard, Goltz, Hansey, Hoggins, Kilbury, King, Luders, Morrison, North (Frances), Sommers, Thompson, Valle, Van Dyk, Warnke, Williams.

April 11, 1973

SENATE BILL NO. 2570, Prime Sponsor: Senator Ridder, revising operation of the Washington state patrol retirement system, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Bausch, Benitz, Brown, Charette, Chatalas, Curtis, Ehlers, Erickson, Gaspard, Goltz, Hurley, Kilbury, Kopet, Luders, Morrison, Smith, Sommers, Valle, Van Dyk, Warnke, Williams.

April 12, 1973

SUBSTITUTE SENATE BILL NO. 2586, Prime sponsor of original bill: Senator Durkan, providing for minimum benefits of fireman and police pensions, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Barden, Bausch, Blair, Brown, Charette, Chatâlas, Curtis, Ehlers, Erickson, Flanagan, Gaspard, Hoggins, King, Kopet, Luders, Moon, Morrison, North (Frances), Pardini, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke.

April 12, 1973

SENATE BILL NO. 2627, Prime Sponsor: Senator Day, 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 Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Laughlin, Schumaker, Tilly.

April 12, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2748, Prime sponsor of original bill: Senator Walgren, authorizing transportation studies, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

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."

Re-number 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."

Re-number the remaining section.

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; Berentson, Ceccarelli, Clemente, Gaines, Gallagher, Gilleland, Kalich, Hansen, Kraabel, Laughlin, Leckenby, Nelson, Patterson, Pullen.

April 12, 1973

SUBSTITUTE SENATE BILL NO. 2787, Prime sponsor of original bill: Senator Wanamaker, implementing the law relating to the licensing of certain motor vehicles, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Berentson, Ceccarelli, Clemente, Gallagher, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Nelson, Patterson, Swayze.

April 12, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2813, Prime sponsor of original bill: Senator Durkan, providing financial support for public mass transit programs, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass 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 section:

"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."

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Barden, Bausch, Blair, Bluechel, Brown, Chatalas, Eikenberry, Erickson, Gaspard, Goltz, Hoggins, Kilbury, King, Luders, Moon, Morrison, North (Frances), North (Lois), Polk, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams.

#### MOTION

Mr. Charette moved that all standing committee reports listed on the fifth order of business be passed to Rules Committee for second reading.

The motion was carried.

#### SECOND READING

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.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments see Journal for twenty-first day, Ex. Sess., March 29, 1973.)

The bill was read the second time.

On motion of Mr. Swayze, the committee amendments by the Committee on Judiciary were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2336 as amended by the House was placed on final passage.

Representatives Swayze and Valle spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2336 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swaye, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Kilbury.

Not voting: Representatives Gaines, Van Dyk.

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.

ENGROSSED 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.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-fifth day, Ex. Sess., April 2, 1973.)

The bill was read the second time.

Mr. Parker moved adoption of the committee amendment adding a new section 16.

Representatives Parker and Rabel spoke in favor of the amendment, and the amendment was adopted.

On motion of Mr. Parker, the committee amendment to page 8, line 18 was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2490 as amended by the House was placed on final passage.

Representatives Parker and Rabel spoke in favor of the bill.

POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Mr. Parker, I appreciate Mr. Rabel's and your work here; however, I would like to ask about funding. Section 9 has a paragraph on the establishment of funds, but it doesn't have any amount in there or any specifics about where the money is forthcoming. I wondered, is there an amendment to the budget bill or something coming along today so that we can fund this?"

Mr. Parker: "Representative Douthwaite, the funding for this bill would be a direct general fund appropriation, and I understand that was included in the budget."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2490 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yeay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kraabel.

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.

ENGROSSED SENATE BILL NO. 2513, by Senators Talley and Twigg:

Raising salaries of county officials.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal for twenty-ninth day, Ex. Sess., April 6, 1973.)

The bill was read the second time.

Mr. Haussler moved that the House do not adopt the committee amendment.

Mr. Smythe spoke in favor of the motion to not adopt the committee amendment.

#### MOTION

Mrs. North (Lois) moved that the House adopt the committee amendment to Engrossed Senate Bill No. 2513.

Representatives North (Lois) and Flanagan spoke in favor of adoption of the committee amendment, and Representatives Haussler, Thompson and Kuehne spoke against it.

#### POINT OF INQUIRY

Mr. Haussler yielded to question by Mr. Barden.

Mr. Barden: "Representative Haussler, can you tell me, as a matter of information and for the record, when was the last time these county officials received a salary increase?"

Mr. Haussler: "1972, I believe it was."

Mr. Barden spoke against adoption of the committee amendment, and Representatives Rabel and Curtis spoke in favor of it.

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

Representatives Swayze and Blair spoke in favor of the adoption of the amendment, and Representative Haussler spoke again in opposition to it.

#### PARLIAMENTARY INQUIRY

Mr. Kalich: "Will you explain what a vote 'yes' will do and what a vote 'no' will do because of the two different motions on this?"

The Speaker (Mr. O'Brien presiding): "A majority vote 'yes' means the amendment is adopted, and a vote 'no' means it is not adopted."

Mrs. North (Lois) closed debate, speaking in favor of the committee amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the committee amendment to Engrossed Senate Bill No. 2513, and the amendment was not adopted by the following vote: Yeas, 41; nays, 55; not voting, 2.

Voting yea: Representatives Benitz, Blair, Bluechel, Brown, Charnley, Curtis, Douthwaite, Ehlers, Eng, Flanagan, Gaines, Gaspard, Gilleland, Hansen, Hansey,

Hayner, Hoggins, Hurley, Johnson, Jueling, Julin, Kelley, Knowles, Kopet, Kraabel, Leckenby, Matthews, Maxie, Morrison, Nelson, North F., North L., Pardini, Polk, Pullen, Rabel, Randall, Swayze, Tilly, Wilson, and Mr. Speaker.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Eikenberry, Ellis, Erickson, Fortson, Freeman, Gallagher, Garrett, Goltz, Haussler, Hendricks, Jastad, Kalich, Kilbury, King, Kuehnle, Laughlin, Luders, Lysen, Martinis, May, McCormick, Moon, O'Brien, Paris, Parker, Patterson, Perry, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman.

Not voting: Representatives Amen, Newhouse.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2513 be placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Bill No. 2513 to third reading and final passage, and the motion was carried by the following vote: Yeas, 70; nays, 27; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, May, McCormick, Moon, Morrison, Newhouse, O'Brien, Paris, Parker, Patterson, Perry, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Benitz, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Freeman, Gilleland, Hayner, Johnson, Kopet, Kraabel, Leckenby, Matthews, Maxie, Nelson, North F., North L., Pardini, Polk, Pullen, Rabel, Tilly, Wilson.

Not voting: Representative Julin.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2513, and the bill passed the House by the following vote: Yeas, 74; nays, 21; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Ehlers, Ellis,

Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Moon, Morrison, Newhouse, O'Brien, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Gilleland, Kopet, Kraabel, Matthews, May, Nelson, North F., North L., Pardini, Polk, Rabel, Tilly.

Not voting: Representatives Conner, Julin, Leckenby.

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.

SENATE BILL NO. 2833, by Senator Durkan:

Authorizing certain docks for single family residences with a twenty-five hundred dollar construction cost limitation.

The bill was read the second time.

Mr. Charnley moved adoption of the following amendment by Representatives Charnley and Julin:

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 43.24B 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."

Representatives Charnley and Julin spoke in favor of adoption of the amendment.

The amendment was adopted.

On motion of Mr. Charnley, the following amendment to the title by Representatives Charnley and Julin was adopted:

In line 1 of the title after "Relating to" strike the remainder of the title and insert "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 motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2833 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2833 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Yoting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Moon, Morrison, Nelson,

North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Blair.

Not voting: Representatives Maxie, Newhouse, North L., Randall, Smythe.

Senate Bill No. 2833 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2835, by Senators Rasmussen, Gardner and Peterson (Ted):

Authorizing an additional method for the disposition of certain property owned by municipal utilities.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal for thirty-first day, April 8, 1973.)

The bill was read the second time.

On motion of Mr. Haussler, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2835 as amended by the House was placed on final passage.

Mr. Haussler spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2835 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hayner, Julin, Kalich, Lysen.

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.

SENATE BILL NO. 2847, by Senators Ridder, Keefe, Grant and Matson:

Permitting professional musicians eighteen years of age to entertain in licensed premises.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-seventh day, Ex. Sess., April 4, 1973.)

The bill was read the second time.

On motion of Mrs. Wojahn, the committee amendments were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2847 as amended by the House was placed on final passage.

Mrs. Wojahn spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2847 as amended by the House, and the bill passed the House by the following vote: Yeas, 83; nays, 8; not voting, 7.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Hansen, Hoggins, Kuehnle, Paris, Schumaker, Tilly, Zimmerman.

Not voting: Representatives Kopet, Morrison, Newhouse, Pardini, Smythe, Swayze, Valle.

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.

## STATEMENT FOR THE JOURNAL

Due to momentary illness I was absent from the floor. Therefore I did not cast a vote for Senate Bill No. 2847 as amended by the House. I would have voted "aye."

GEORGETTE VALLE, 31st District.

## MOTION

On motion of Mr. Thompson, all bills passed today were ordered transmitted immediately to the Senate.

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.

On motion of Mr. Martinis, the following amendment was adopted:

On page 2, section 4, line 16 after "April" strike "15" and insert "1"

Mr. Martinis moved adoption of the following amendment:

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."

Representatives Martinis and Leckenby spoke in favor of the adoption of the amendment, and Representatives Blair and Zimmerman spoke against it.

Mr. Martinis spoke again in favor of the amendment.

The amendment was adopted on a rising vote.

With the consent of the House, the rules were suspended, the second reading considered the third, and Senate Bill No. 2918 as amended by the House was placed on final passage.

## POINT OF ORDER

Mr. Curtis: "Was there a vote taken on the motion to advance the bill?"

The Speaker (Mr. O'Brien presiding): "We have done it this way in the past. I said if there are no objections, the bill will be placed on final passage, and no one objected. Do you want to vote?"

Representatives Martinis and Hansey spoke in favor of passage of the bill, and Representatives Zimmerman, Tilly and Blair spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2918 as amended by the House, and the bill passed the House by the following vote: Yeas, 78; nays, 13; not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barden, Blair, Cunningham, Douthwaite, Eikenberry, Gilleland, Kraabel, Laughlin, Lysen, Nelson, Polk, Tilly, Zimmerman.

Not voting: Representatives Curtis, Johnson, Julin, Morrison, Pardini, Rabel, Swayze.

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.

SENATE BILL NO. 2190, by Senators Grant, Ridder and Stortini:

Granting the power of initiative and referendum to the voters in noncharter code cities.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendment, see Journal for twenty-ninth day, April 6, 1973.)

The bill was read the second time.

On motion of Mr. King, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2190 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2190 as amended by the House, and the bill passed the House by the following vote: Yeas, 64; nays, 26; not voting, 8.

Voting yea: Representatives Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, King, Knowles, Kopet, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Adams, Barden, Benitz, Berentson, Brown, Cunningham, Eikenberry, Freeman, Gilleland, Haussler, Hayner, Kilbury, Kraabel, Kuehnle, Laughlin, North L., Patterson, Polk, Pullen, Schumaker, Smythe, Thompson, Tilly, Valle, Wilson, Zimmerman.

Not voting: Representatives Bluechel, Curtis, Julin, Morrison, Newhouse, Pardini, Rabel, Swayze.

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.

#### STATEMENT FOR THE JOURNAL

Due to a malfunction, my vote on Senate Bill No. 2190 as amended by the House was recorded as "no." My intent was to vote "yes."

E. L. "GENE" LAUGHLIN, 17th District.

ENGROSSED 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.

The bill was read the second time.

Mr. Bauer moved adoption of the following amendment by Representatives Bauer, Thompson and Zimmerman:

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."

Renumber the remaining section consecutively

Representatives Bauer and Parker spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Bauer, the following amendment to the title by Representatives Bauer and Thompson was adopted:

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 motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2256 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2256 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett,



Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Hurley.

Not voting: Representatives Curtis, Julin, Morrison, Newhouse, Pardini, Swayze, Tilly.

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.

#### MOTIONS

On motion of Mr. Thompson, the last three bills passed by the House were ordered transmitted immediately to the Senate.

On motion of Mr. Charette, the House recessed until 1:30 p.m.

-----  
 AFTERNOON SESSION  
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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker signed:

HOUSE BILL NO. 782.

#### MESSAGE FROM THE GOVERNOR

April 12, 1973

TO THE HONORABLE,  
 THE HOUSE OF REPRESENTATIVES  
 OF THE STATE OF WASHINGTON  
 LADIES AND GENTLEMEN:

I have the honor to advise that on April 12, 1973, Governor Evans approved the following House Bill entitled:  
 ENGROSSED HOUSE BILL NO. 204: Requiring disclosure of certain financial interests by medical practitioners.

Sincerely,  
 JOHN H. BRIGHT,  
 Legislative Counsel.

## MESSAGE FROM THE SENATE

April 13, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 127,  
 HOUSE BILL NO. 483,  
 HOUSE BILL NO. 552,  
 HOUSE BILL NO. 576,  
 HOUSE BILL NO. 595,  
 HOUSE BILL NO. 821,  
 HOUSE BILL NO. 827,  
 SUBSTITUTE HOUSE BILL NO. 944,  
 HOUSE BILL NO. 1019,  
 HOUSE JOINT RESOLUTION NO. 40,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

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

The Speaker called the House to order.

## SECOND READING

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.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 197 was placed on final passage.

Mr. Perry spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 197, and the bill passed the House by the following vote: Yeas, 92; nays, 4; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Flanagan, Juelling, Leckenby, Pullen.

Not voting: Representatives Hoggins, Julin.

House Bill No. 197, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1044, by Representatives Bluechel, Bagnariol and Berentson:

Defining "original producer" of nursery stock for taxation purposes.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendment, see Journal for thirty-first day, Ex. Sess., April 8, 1973.)

The bill was read the second time.

On motion of Mr. Bluechel, the committee amendment was adopted.

House Bill No. 1044 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1044 was placed on final passage.

Mr. Bluechel spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1044, and the bill passed the House by the following vote: Yeas, 85; nays, 9; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Bausch, Ehlers, Erickson, Moon, Pullen, Schumaker, Warnke, Wojahn.

Not voting: Representatives Hurley, Julin, North F., Pardini.

Engrossed House Bill No. 1044, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1074, by Representatives Beck and Laughlin:

Providing travel expense reimbursement for legislative members of the American revolution bicentennial commission.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1074 was placed on final passage.

Mr. Moon spoke in favor of passage of the bill, and Mr. Cunningham spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1074, and the bill passed the House by the following vote: Yeas, 56; nays, 38; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Moon, Morrison, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Eikenberry, Flanagan, Fortson, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Juelling, Kelley, Kopet, Kraabel, Kuehnle, Lysen, Matthews, Nelson, North L., Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Not voting: Representatives Julin, Newhouse, Pardini, Smythe.

House Bill No. 1074, having received the constitutional 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. 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.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2270 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2270, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Blair, Kuehnle, Schumaker.

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.

ENGROSSED SENATE BILL NO. 2294, by Senators Whetzel and Henry (by Secretary of State request):

Implementing laws relating to the secretary of state.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal for thirtieth day, Ex. Sess., April 7, 1973.)

The bill was read the second time.

On motion of Mr. Williams, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2294 as amended by the House was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2294 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson,

Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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.

#### MOTION

On motion of Mr. Thompson, the five bills just passed by the House were ordered transmitted immediately to the Senate.

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 voters' pamphlet.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendments, see Journal for fifty-first day, February 27, 1973.)

The bill was read the second time.

On motion of Mr. King, the committee amendment to page 2 was adopted.

Mr. King moved adoption of the two committee amendments to page 6.

Mr. Swayze moved adoption of the following amendments to the committee amendments to page 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,"

Representatives Swayze and King spoke in favor of the amendments to the committee amendments.

The amendments by Mr. Swayze to the amendments were adopted.

POINT OF INQUIRY

Mr. Swayze yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "I'm sorry, Representative Swayze. This thing has gone by me faster than I could keep up with it--the committee amendments and your floor amendments to the committee amendment. I had intended to stand and oppose one of the committee amendments, or a couple of the committee amendments, and maybe your floor amendment took care of it. In the position that the committee amendment is in now, as amended, does it still provide to the secretary of state the privilege of determining whether an argument that has been offered for the voters' pamphlet is satisfactory to him in terms of the broad language? I realize it says something about being factual, but this is a matter of interpretation. What is the status of it, where it stands now?"

Mr. Swayze: "Well the language with which you are concerned, and it is of some concern to me also, is the language dealing with unsubstantiated claims. It is of some concern to me that a judgment decision has to be made on whether a claim is substantiated or unsubstantiated, and that particular issue was not touched by my amendment to the amendment. You may wish to still defeat the remainder of the committee amendment. My floor amendment only made it clear that somebody putting in a rebuttal argument had to confine his remarks to issues that have already been talked about in the voters' pamphlet, the main argument, and they couldn't bring in new material and new matter. I think maybe Mr. King wants to expand on that a bit."

Mr. King spoke in favor of the committee amendments as amended.

The committee amendments as amended by Mr. Swayze were adopted.

Mr. King moved adoption of the committee amendment to page 7.

Mr. King spoke in favor of the amendment, and Mr. Kuehnle spoke against it.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Luders.

Mr. Luders: "Representative King, the phraseology 'patently untrue'--is that defined anywhere in law? What does that really mean, do you know?"

Mr. King: "You probably should ask an attorney about that. The testimony we had in talking with attorneys was that it was untrue on the surface--that it was something you wouldn't have a question about. It doesn't

say 'untrue in the opinion of.' It says 'patently' and I think I am correct in assuming that means it is on the surface--that, in and of itself, it is false. I think it is a rather narrow use of the term and was done intentionally."

Representatives Luders and Rabel spoke in favor of adoption of the amendment.

The committee amendment was adopted.

On motion of Mr. King, the committee amendment to the title was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2361 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2361 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Curtis, Eikenberry, Hayner, Polk.

Not voting: Representative Pardini.

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.

#### MOTION

Mr. Thompson moved that the House immediately consider SUBSTITUTE SENATE BILL NO. 2854 on second reading.

The motion was carried.



SUBSTITUTE SENATE BILL NO. 2854, by Committee on Ways and Means (Originally sponsored by Senator Odegaard):

Relating to appropriations.

The bill was read the second time.

ANNOUNCEMENT BY THE SPEAKER

The Speaker: "The chairman of the committee and Mr. Kopet have worked out a series of amendments that they think, to all effect, are in the category of committee amendments, and which attempt to perfect the bill. However, there are so many amendments on the desk that we don't know if they conflict with any one of these particular amendments. Therefore with the consent of the House, we will treat these as committee amendments, and then later on, if there is an amendment that does conflict, we will consider it separately since we don't want to, in any way, detract from anybody's rights. If there is no objection, we will proceed in that manner."

Mr. Shinpoch moved that the following amendments by Representatives Bagnariol, Shinpoch and Kopet be adopted:

On page 2, section 7, between lines 19 and 20 insert:

"General Fund Appropriation 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"

Renumber the remaining sections consecutively

insert On page 37, section 109, line 6 strike "\$33,000" and "\$37,950"

insert On page 37, section 109, line 7 strike "\$33,000" and "\$37,950"

insert: On page 37, section 109, between lines 16 and 17,

"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 employee 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"

Renumber the remaining sections consecutively On page 38, section 112, line 3 after "Need" insert

"Commission"

On page 38, line 6 insert a new section as follows:

"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."

Renumber 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

Mr. Kopet spoke in favor of the amendments, and the amendments were adopted.

#### PARLIAMENTARY INQUIRY

Mr. Amen: "Mr. Speaker, I thought the last vote, the way it was presented, was the question of whether we were going to consider all of the amendments at once. Now you say they have been adopted."

The Speaker: "I placed the motion stating they would be considered all at once if there was no objection. We didn't hear an objection, Representative Amen. I then asked for remarks, and then placed the question of adoption of the amendments. The way we are going to handle it is that we will go back now and if anybody wants to make an amendment to any of these sections, as they are changed, we will allow them to do so. It is an unusual procedure, but it just happens we are short of time. If any of these floor amendments that are on the desk are affected by the change of language, we will make that notation."

Mr. Kopet moved adoption of the following amendment:

On page 3, section 13, line 28 after "\$" strike "2,825,223" and insert "2,526,803"

Mr. Kopet spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

The amendment was lost on a rising vote.

Mr. Wilson moved adoption of the following amendment to Substitute Senate Bill No. 2854:

On page 4, section 19, line 29 strike everything after "Appropriation:" down to and including "issues" on page 5, line 1.

Mr. Wilson spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

Mr. Wilson spoke again in favor of adoption of the amendment, and Mr. Bagnariol spoke again in opposition to it.

The amendment by Mr. Wilson was not adopted.

Mr. Barden moved adoption of the following amendment:

On page 4, beginning on line 27 strike all of sections 19, 20 and 21, and renumber the remaining sections consecutively.

Mr. Barden spoke in favor of adoption of the amendment, and Mr. Shinpoch spoke against it.

The amendment by Mr. Barden was not adopted.

Mrs. Valle moved adoption of the following amendment by Representatives Valle, Blair and Perry:

On page 5, section 22, line 19 after "\$" strike "8,000" and insert "20,000"

Mrs. Valle spoke in favor of the amendment, and Mr. Kopet spoke against it.

Mrs. Valle spoke again in favor of the amendment.

Representatives Blair, Perry and Sommers spoke in favor of the amendment, and Representative Bagnariol spoke against it.

The amendment was not adopted.

Mr. Morrison moved adoption of the following amendments by Representatives Morrison and Swayze to Substitute Senate Bill No. 2854:

On page 1, section 2, line 18 after "\$" strike "5,889,727" and insert "3,611,126"

On page 1, section 2, line 20 after "\$" strike "7,058,989" and insert "5,476,446"

Mr. Morrison spoke in favor of the amendments, and Mr. Bagnariol spoke against them.

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

Representatives Swayze and Zimmerman spoke in favor of adoption of the amendments, and Representative Bagnariol spoke against their adoption.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representatives Morrison and Swayze to Substitute Senate Bill No. 2854, and the amendments were lost by the following vote: Yeas, 41; nays, 56; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien,

Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Pardini moved adoption of the following amendment:

On page 8, section 31, line 16 after "\$" strike "3,920,761" and insert "3,453,761"

Mr. Pardini spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

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

Mr. Pardini closed debate, speaking again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Pardini to Substitute Senate Bill No. 2854, and the amendment was lost by the following vote: Yeas, 43; nays, 52; not voting, 3.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Eng, Flanagan, Freeman, Garrett, Gilleland, Goltz, Hansey, Hayner, Hendricks, Hoggins, Juelling, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Corner, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Hansen, Julin, Patterson.

Mr. Pardini moved adoption of the following amendment:

On page 8, section 31, line 16 after "Program" insert ": PROVIDED FURTHER, That \$467,000 shall be available solely to administer a no-fault insurance program enacted by the forty-third legislature"

Mr. Pardini spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

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

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Pardini to Substitute Senate Bill No. 2854, and the amendment was lost by the following vote: Yeas, 49; nays, 49; not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Jastad, Juelling, Julin, Kalich, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Johnson, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Mr. Swayze moved adoption of the following amendment by Representatives Swayze and Kuehnle:

On page 1, section 2, following line 21 and before line 22 insert "Legislative Council.....\$480,000"

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

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

Representative Kuehnle spoke in favor of adoption of the amendment, and Representatives Bagnariol and Douthwaite spoke against it.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Swayze and Kuehnle to Substitute Senate Bill No. 2854, and the amendment was lost by the following vote: Yeas, 42; nays, 53; not voting, 3.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Sommers, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis,

Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.  
Not voting: Representatives Moon, Newhouse, Smythe.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, section 2, following line 21 beginning with "\$579,458" strike everything through line 22 and insert "\$717,972: PROVIDED, That the Legislative Budget Committee shall assume the responsibility for and continuation of the functions of the Public Pension Commission"

On line 22 strike "Public Pension Commission..... \$138,514"

Mr. Kuehnle spoke in favor of the amendment.

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

Mr. Kopet spoke in favor of adoption of the amendment, and Mr. Shinpoch spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to Substitute Senate Bill No. 2854, and the amendment was lost by the following vote: Yeas, 37; nays, 58; not voting, 3.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Hendricks, Newhouse, Smythe.

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle, Paris and Zimmerman:

On page 37, section 109, line 18 strike "\$10,560" and insert "\$3,600"

Mr. Kuehnle spoke in favor of the amendment.

The amendment was not adopted.



## STATEMENT FOR THE JOURNAL

I, Marc Gaspard, wish to have it go on record that I voted "yea" for the Kuehnle, Paris, Zimmerman amendment to page 37, line 18 of Substitute Senate Bill No. 2854. The amendment was to strike the pay increase for legislators. The vote on this amendment was a voice vote; therefore, it was not recorded.

MARC GASPARD, 25th District.

## STATEMENT FOR THE JOURNAL

I, William May, wish to go on record stating that I voted "yea" for the Kuehnle, Paris, Zimmerman amendment to page 37, line 18 of Substitute Senate Bill No. 2854. The amendment was to strike the pay increase for legislators. The vote on this amendment was a voice vote; therefore, it was not recorded.

WILLIAM J. S. "BILL" MAY, 3rd District.

Mr. Gallagher moved adoption of the following amendment:

On page 7, section 26, line 28 after "Appropriation" insert ": PROVIDED, That not to exceed \$20,000 of the amount hereby appropriated to the Department of Revenue shall be used by the department to insure compliance by the county assessors to chapter 84.41 RCW and if, after a hearing on the facts, it is found that any county assessor's budget is not sufficient to properly comply with the provisions of chapter 84.41 RCW, the department may issue an order directing the county commissioners to provide sufficient budget for the assessor to comply with the provisions of chapter 84.41 RCW."

Mr. Gallagher spoke in favor of the amendment, and Mr. Nelson spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representatives Johnson and Newhouse:

On page 8, section 35, line 29 after "required:" strike "PROVIDED, That the commission shall not expend for regulatory purposes at any race meet a sum greater than three-fourths of one percent of the total parimutuel handle at such meet:"

With the consent of the House, Mrs. Johnson withdrew the amendment.

Mrs. Johnson moved adoption of the following amendment by Representatives Johnson and Amen:

On page 8, section 35, on line 31 strike "at any race meet" and on line 33 strike "at such meet"

Representatives Johnson, Newhouse and Amen spoke in favor of adoption of the amendment, and Representatives Shinpoch and Chatalas spoke against it.

Mrs. Johnson spoke again in favor of adoption of the amendment.

The amendment by Representatives Johnson and Amen to Substitute Senate Bill No. 2854 was lost on a rising vote.

Mr. Curtis moved adoption of the following amendment:

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.)"

Representatives Curtis and Bagnariol spoke in favor of adoption of the amendment.

The amendment by Mr. Curtis was adopted.

On motion of Mr. Kraabel, the following amendment by Representatives Kraabel and Shinpoch to Substitute Senate Bill No. 2854 was adopted:

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"

Mr. Swayze moved adoption of the following amendment:

On page 18, section 66, line 20 strike "14,582,511" and insert "14,659,882"

Representatives Swayze and Shinpoch spoke in favor of the amendment.

The amendment was adopted.

Mr. Conner moved adoption of the following amendment by Representatives Conner and Savage:

On page 19, section 72, lines 26 and 27 strike "Larch Mountain honor camp" and insert "Clearwater honor camp" and on line 28 strike "\$10,747,266" and insert "\$10,917,266"

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

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Smythe.

Mr. Smythe: "Could you give me the date on the letter you read from Dr. Shearer?"

Mr. Conner: "February 27."

Mr. Smythe spoke in opposition to the amendment.

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

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

Mr. Newhouse demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Conner and Savage to Substitute Senate Bill No. 2854, and the amendment was lost by the following vote: Yeas, 45; nays, 51; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bausch, Beck, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Eng, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Kalich, Kelley, Kilbury, King, Knowles, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bauer, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Eikenberry, Ellis, Erickson, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Johnson, Juelling, Julin, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Thompson, Tilly, Valle, Wilson, Zimmerman.

Not voting: Representatives Ehlers, Williams.

On motion of Mr. Van Dyk, the following amendment was adopted:

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 certificate 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."

Mr. Zimmerman moved adoption of the following amendment by Representatives Zimmerman, Gaines, Laughlin, Kilbury, Benitz, Paris and Anderson:

On page 34, section 89, line 10 after "the" strike "\$11,692,775" and insert "\$12,192,775"

Representatives Zimmerman and Laughlin spoke in favor of adoption of the amendment, and Mr. Shinpoch spoke against it.

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

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Zimmerman and others to Substitute Senate Bill No. 2854, and the amendment was lost by the following vote: Yeas, 32; nays, 63; not voting, 3.

Voting yea: Representatives Anderson, Bauer, Benitz, Bluechel, Brown, Curtis, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hayner, Hendricks, Hoggins, Julin, Kilbury, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Pullen, Schumaker, Smythe, Swayze, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Barden, Bausch, Beck, Bender, Berentson, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, King, Knowles, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Polk, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Eikenberry, Matthews, Rabel.

Mr. Goltz moved adoption of the following amendment by Representatives Van Dyk and Goltz:

On page 38, line 6, insert a new section as follows:  
"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."

Renumber the remaining sections consecutively

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

The amendment was adopted on a rising vote.

Mr. Hansey moved adoption of the following amendment by Representatives Hansey, Garrett and Zimmerman:

On page 19, section 71, following line 19 insert  
 "General Fund Appropriation: PROVIDED, That these funds shall be used for the nongame wildlife management program.....\$500,000"

Mr. Hansey spoke in favor of the amendment.

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

Representatives Brown, Garrett and Hoggins spoke in favor of adoption of the amendment, and Representatives Bagnariol and Martinis spoke against it.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Hansey, Garrett and Zimmerman to Substitute Senate Bill No. 2854, and the amendment was lost by the following vote: Yeas, 35; nays, 62; not voting, 1.

Voting yea: Representatives Amen, Benitz, Berentson, Blair, Bluechel, Brown, Curtis, Freeman, Gaines, Garrett, Hansey, Hayner, Hendricks, Hoggins, Julin, Kopet, Kraabel, Laughlin, Leckenby, Luders, Matthews, Morrison, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North P., O'Brien, Parker, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Kuehnle.

The Clerk read the following amendment by Mr. Hansey:

On page 17, section 62, line 33 after "proviso" insert ": PROVIDED FURTHER, That up to \$250,000 of this appropriation shall be contracted with the Leona M. Sundquist Marine Laboratory at Shannon Point for research on the effects of oil spills on biological organisms of coastal waters."

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

With the consent of the House, the following twenty-four amendments by Mr. Barden were considered as one.

Mr. Barden moved adoption of the following amendments:

On page 2, section 4, line 12 after "Appropriation" insert ": PROVIDED, That \$453,188 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar

amount."

On page 2, section 5, line 14 after "Appropriation" insert ": PROVIDED, That \$64,309 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 2, section 6, line 16 after "Appropriation" insert ": PROVIDED, That \$323,219 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 2, section 7, line 18 after "Appropriation" insert ": PROVIDED, That \$155,495 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 4, section 15, line 1 after "Appropriation" insert ": PROVIDED, That \$390,109 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per

enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 7, section 27, line 28 after "Appropriation" insert ": PROVIDED, That \$2,497,303 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 8, section 31, line 16 after "Program" insert ": PROVIDED, That \$815,054 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 10, section 42, line 18 after "Appropriation" insert ": PROVIDED, That \$154,345 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 13, section 47, line 20 after "Appropriation" insert ": PROVIDED, That \$133,628 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 13, section 48, line 23 after "Appropriation" insert ": PROVIDED, That \$115,031 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 13, section 49, line 27 after "AGENCY" insert ": PROVIDED, That \$1,802,512 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 15, section 50, line 5 after "Appropriation" insert ": PROVIDED, That \$187,932 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion



of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 15, section 52, line 12 after "Appropriation" insert ": PROVIDED, That \$418,809 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 15, section 53, line 21 after "Appropriation" insert ": PROVIDED, That \$194,628 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 16, section 60, line 25 after "Appropriation" insert ": PROVIDED, That \$574,231 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 17, section 62, line 19 after "ECOLOGY"

insert ": PROVIDED, That \$3,230,978 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 18, section 63, line 11 after "Appropriation" insert ": PROVIDED, That \$170,151 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 18, section 64, line 14 after "Appropriation" insert ": PROVIDED, That \$44,462 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 18, section 66, line 20 after "Appropriation" insert ": PROVIDED, That \$1,917,999 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until

those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 19, section 68, line 3 after "Appropriation" insert ": PROVIDED, That \$201,120 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 19, section 70, line 10 after "Appropriation" insert ": PROVIDED, That \$1,663,641 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 19, section 72, line 22 after "Appropriation" insert ": PROVIDED, That \$1,171,983 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 20, section 73, line 21 after "birds" insert ": PROVIDED FURTHER, That \$141,597 in state general fund

dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

On page 22, section 76, line 27 after "Appropriation" insert ": PROVIDED, That \$1,825,046 in state general fund dollars of this appropriation shall be made available to the superintendent of public instruction through interagency transfer for the exclusive purpose of providing special levy relief and shall be distributed on the basis of the following methodology: PROVIDED, That no school district which will receive \$35.00 of state support per enrolled pupil or less for 1973-74 will receive a portion of this special levy relief distribution until those districts ranked in order by the number of special levy mills levied for collection in 1974 receive a dollar support per enrolled pupil of \$220.00 for the purpose of special levy relief: PROVIDED FURTHER, That those districts receiving a portion of this special levy relief distribution must reduce their levies by the same dollar amount."

Mr. Barden spoke in favor of adoption of the amendments, and Mr. Bagnariol spoke against their adoption.

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

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Barden to Substitute Senate Bill No. 2854, and the amendments were lost by the following vote: Yeas, 33; nays, 62; not voting, 3.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kuehne, Matthews, Morrison, Nelson, Pardini, Paris, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Valle.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin,

Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.  
Not voting: Representatives Leckenby, Newhouse, Zimmerman.

## STATEMENT FOR THE JOURNAL

In reference to the Barden amendments (Council on Higher Education amendments) I wish to change my vote from "aye" to "nay."

GEORGETTE VALLE, 31st District.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Substitute Senate Bill No. 2854 as amended by the House be placed on final passage.

## MOTION FOR RECONSIDERATION

Mr. Eng, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Mrs. Valle relating to the State Women's Council was not adopted.

## RULING BY THE SPEAKER

The Speaker: "Mr. Eng, we are presently under a motion to suspend the rules. At this time your motion to reconsider would be out of order. If that motion fails, it would still be on second reading, so you could make the motion at that time."

The motion by Mr. Conner was carried.

The Speaker stated the question before the House to be Substitute Senate Bill No. 2854 as amended by the House on final passage.

Mr. Bagnariol spoke in favor of passage of the bill, and Mr. Barden spoke against the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2854 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 49; nays, 48; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bender, Benitz, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gaspard, Goltz, Hansen, Johnson, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bausch, Beck, Berentson, Bluechel, Brown, Cunningham, Curtis,

Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Juelling, Julin, Kalich, Kelley, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, May, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Warnke, Wilson, Zimmerman.

Not voting: Representative Gallagher.

Substitute Senate Bill No. 2854 as amended by the House, having failed to receive the constitutional majority, was declared lost.

#### MOTION FOR RECONSIDERATION

Mr. Moon, having voted on the prevailing side, moved that the House do now reconsider the vote by which Substitute Senate Bill No. 2854 as amended by the House failed to pass the House.

#### RULING BY THE SPEAKER

The Speaker: "Mr. Moon, our rules provide that you can only give notice to reconsider on the next working day. You would have to move to suspend the rules."

Mr. Moon, having voted on the prevailing side, moved that the rules be suspended, and that the House do now reconsider the vote by which Substitute Senate Bill No. 2854 as amended by the House failed to pass the House.

Mr. Pardini spoke in favor of the motion.

The motion was carried.

#### RECONSIDERATION

The Speaker stated the question before the House to be reconsideration of final passage of Substitute Senate Bill No. 2854 as amended by the House.

#### ROLL CALL

The Clerk called the roll on the reconsideration of final passage of Substitute Senate Bill No. 2854 as amended by the House, and the bill passed the House by the following vote: Yeas, 55; nays, 43; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bausch, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Juelling,

Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, May, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

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.

#### STATEMENT FOR THE JOURNAL

We voted against final passage of Substitute Senate Bill No. 2854 as amended by the House for two reasons: (1) Although it provided for a salary increase for faculty of our institutions of higher learning, the increase was not nearly enough to retain many of our top educators and research people so badly needed; (2) The salary increase for some elected officials was too great.

OTTO AMEN, 9th District,  
E. G. "PAT" PATTERSON, 9th District.

#### STATEMENT FOR THE JOURNAL

I voted against Substitute Senate Bill No. 2854 on final passage. It is my opinion that the salaries for legislators as proposed are greatly in excess of what they should be.

JOHN L. HENDRICKS, 22nd District.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

	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,
	SENATE BILL NO.	2101,
	SENATE BILL NO.	2220,
SUBSTITUTE	SENATE BILL NO.	2407,
	SENATE BILL NO.	2552,
	SENATE BILL NO.	2590.

#### MOTIONS

'On motion of Mr. Thompson, the last two bills passed by the House were ordered transmitted immediately to the Senate.

On motion of Mr. Thompson, the House recessed until 8:00 p.m.

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EVENING SESSION  
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The House was called to order at 8:00 p.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present.

## MESSAGES FROM THE SENATE

April 13, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2066, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2088, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to REENGROSSED SENATE BILL NO. 2183 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2250, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2337 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has passed:  
ENGROSSED HOUSE BILL NO. 901,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.



April 13, 1973

Mr. Speaker:

The President 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.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. Charette presiding) announced that  
the Speaker has 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.

MESSAGES FROM THE SENATE

April 13, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 782,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has receded from its amendment to  
ENGROSSED HOUSE BILL NO. 720 on page 8, section 10, and has  
passed the bill without the Senate amendment,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

The Speaker (Mr. Charette presiding) called on Mr.  
O'Brien to preside.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the  
question before the House to be the final passage of  
Engrossed House Bill No. 720 as amended by the Senate.

Mr. Shinpoch spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of  
Engrossed House Bill No. 720 as amended by the Senate, and  
the bill passed the House by the following vote: Yeas, 98;  
nays, 0; not voting, 0.

Voting yeas: Representatives Adams, Amen, Anderson,  
Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz,  
Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette,  
Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis,

Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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 SENATE

April 13, 1973

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 993 and asks the House for a conference thereon, and the President has appointed as members of said Conference Committee: Senators Woody, Jones and Greive.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Conner, the House granted the request of the Senate for a conference on Engrossed Substitute House Bill No. 993.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) appointed Representatives Valle, Wojahn and Kuehnle as members of the Conference Committee on Engrossed Substitute House Bill No. 993.

MESSAGE FROM THE SENATE

April 13, 1973

Mr. Speaker:

The Senate refuses to recede from its amendments to HOUSE BILL NO. 590 and asks for a conference thereon, and the President has appointed as members of said Conference Committee: Senators Keefe, Lewis (Harry) and Peterson (L.).

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Conner, the House granted the request of the Senate for a conference on House Bill No. 590.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) appointed Representatives Johnson, Chatalas and Newhouse as members of the Conference Committee on House Bill No. 590.

## SENATE AMENDMENTS TO HOUSE BILL

April 10, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 418 with the following amendments:

On page 9, following line 10 add new sections as follows:

"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."

On line 14 of the title after "30.08.095" and before the period insert "; and adding new sections to chapter 33, Laws of 1955 and to chapter 30.04 RCW" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Ceccarelli moved that the House concur in the Senate amendments to House Bill No. 418.

Representatives Ceccarelli and Barden spoke in favor of the motion, and the motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 418 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 418 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 7; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Cunningham, Gaines, Laughlin, Lysen, Perry, Williams.

Not voting: Representatives Brown, Julin, North L.

House Bill No. 418 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

April 11, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 410 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, 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," and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Maxie, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 410.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 410 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 410 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Kuehnle, Matthews.

Not voting: Representatives Brown, Goltz, Julin, North L.

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 AMENDMENT TO HOUSE BILL

April 11, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 604 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." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mrs. Wojahn moved that the House concur in the Senate amendment to House Bill No. 604.

Representatives Wojahn and Kuehnle spoke in favor of the motion, and the motion was carried.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 604 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 604 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Paterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Brown, Julin, North L.

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.

## SENATE AMENDMENTS TO HOUSE BILL

April 12, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 476 with the following amendments:

On page 1, line 2 of the title, after "RCW" strike "and declaring an emergency"

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." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Bauer, the House concurred in the Senate amendments to Engrossed House Bill No. 476.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 476 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 476 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 12; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Curtis, Flanagan, Freeman, Gilleland, Kopet, Morrison, Newhouse, Polk, Sommers, Tilly.

Not voting: Representatives Julin, North L.

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.

SENATE AMENDMENTS TO HOUSE BILL

April 10, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 52 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. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 52.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 52 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 52 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 77; nays, 20; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Charette, Chatalas, Clemente, Conner, Curtis, Ellis, Erickson, Flanagan, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, King, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smythe, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke,



Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Beck, Bender, Ceccarelli, Charnley, Cunningham, Douthwaite, Ehlers, Eikenberry, Fortson, Gaines, Moon, North F., Parker, Perry, Shinpoch, Smith, Sommers, Williams, Wojahn.  
Not voting: Representative Eng.

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.

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

The Speaker called the House to order.

#### MESSAGES FROM THE SENATE

April 13, 1973

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2059,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 64,

HOUSE BILL NO. 164,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Charette moved that the Committee on Ways and Means - Revenue be relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 2247 and HOUSE JOINT RESOLUTION NO. 37 and that they be placed on the second reading calendar.

The motion was carried.

#### SECOND READING

ENGROSSED 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.

The bill was read the second time.

The Speaker called on Mr. O'Brien to preside.

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

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 motion of Mr. Charette, the following amendment was adopted:

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 motion of Mr. Charette, the following amendment was adopted:

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 July 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."

Mr. Pardini moved adoption of the following amendment to Engrossed Substitute Senate Bill No. 2247:

On page 35, section 82A-5, line 16 after "241," strike "243, 244,"

Representatives Pardini and Cunningham spoke in favor of adoption of the amendment, and Representative Charette spoke against it.

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

Mr. Pardini closed debate, speaking in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Pardini to Engrossed Substitute Senate Bill No. 2247, and the amendment was lost by the following vote: Yeas, 46; nays, 50; not voting, 2.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry,

Eng, Flanagan, Freeman, Gaines, Garrett, Gaspard, Hansen, Hansey, Hayner, Hendricks, Hoggins, Jueling, Julin, Kelley, Knowles, Kopet, Kuehnle, Leckenby, Luders, Matthews, McCormick, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Shipoch, Smythe, Swayze, Tilly, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Goltz, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Kraabel, Laughlin, Lysen, Martinis, Maxie, May, North F., O'Brien, Parker, Perry, Randall, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Gilleland, Moon.

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle, Hansen, May and Pardini:

On page 32, section 82A-4, line 11 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."

Renumber the remaining subsections consecutively.

Representatives Kuehnle, Leckenby and Cunningham spoke in favor of adoption of the amendment, and Representative Charette spoke against it.

Mr. Kuehnle spoke again in favor of the amendment, and Mr. Charette spoke again in opposition to it.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Kuehnle, Hansen, May and Pardini to Engrossed Substitute Senate Bill No. 2247, and the amendment was lost by the following vote: Yeas, 44; nays, 49; not voting, 5.

Voting yea: Representatives Amen, Barden, Beck, Benitz, Berentson, Bluechel, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Freeman, Gaines, Garrett, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jueling, Kelley, Kopet, Kuehnle, Leckenby, Matthews, May, McCormick, Morrison, Nelson, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Warnke, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Eng, Erickson, Flanagan, Fortson, Gaspard, Goltz, Jastad, Johnson, Julin, Kalich, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, O'Brien, Parker,

Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wilson, Wojahn, and Mr. Speaker.  
Not voting: Representatives Gallagher, Gilleland, Moon, Newhouse, Rabel.

Mr. Kuehnle moved adoption of the following amendment:

On page 42, section 82A-11:  
 On line 14 strike "a capital asset" and insert "property"  
 On line 18 strike "a capital asset" and insert "property"  
 On line 19 strike "capital asset" and insert "property"  
 On line 27 strike "capital asset" and insert "property"  
 On line 29 strike "a capital asset" and insert "property"

Representative Kuehnle spoke in favor of adoption of the amendment, and Representatives Charette and Swayze spoke against its adoption.

The amendment by Mr. Kuehnle was not adopted.

Mr. Zimmerman moved adoption of the following amendment by Representatives Zimmerman, Haussler and Leckenby:

On page 32, section 82A-4, line 12 insert a new subsection to read as follows:

"(j) Deduct an amount equal to the itemized deductions allowable to the taxpayer for federal income tax purposes under section 170 (contributions) of the Internal Revenue Code."

Renumber the remaining subsections consecutively

Representatives Zimmerman and Flanagan spoke in favor of adoption of the amendment, and Representatives Charette and Julin spoke against its adoption.

The amendment by Representatives Zimmerman, Haussler and Leckenby was not adopted.

Mr. Pardini moved adoption of the following amendment:

On page 40, section 82A-9, beginning with "Commencing" on line 29, strike everything down to and including "income." in line 15, page 41, and insert the following:

"Commencing July 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."

Representatives Pardini and Charette spoke in favor of adoption of the amendment.

The amendment by Mr. Pardini to Engrossed Substitute Senate Bill No. 2247 was adopted.

Mr. Julin moved adoption of the following amendment:  
On page 41, section 82A-10, beginning with "(1)" in line 17 strike all of the matter down to and including "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."

Representatives Julin and Charette spoke in favor of adoption of the amendment.

The amendment by Mr. Julin was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2247 as amended by the House was placed on final passage.

Representatives Kelley and Cunningham spoke against passage of the bill.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2247 as amended by the House, and the bill passed the House by the following vote: Yeas, 64; nays, 32; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bauer, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Erickson, Flanagan, Fortson, Gaines, Garrett, Goltz, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Julin, Kalich, King, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Barden,

Bausch, Benitz, Cunningham, Eikenberry, Eng, Freeman, Gallagher, Gaspard, Hansen, Hurley, Johnson, Jueling, Kelley, Kilbury, Knowles, Kopet, Kuehnle, Lysen, Maxie, May, McCormick, Pardini, Polk, Pullen, Schumaker, Swayze, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Gilleland, Moon.

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.

#### MOTION

On motion of Mr. Charette, Engrossed Substitute Senate Bill No. 2247 as amended by the House was ordered transmitted immediately to the Senate.

HOUSE JOINT RESOLUTION NO. 37, by Representative Randall:

Relating to revenue and taxation.

The resolution was read the second time.

#### MOTION

On motion of Mr. Charette, the rules were suspended to allow anyone who so desired to be added as a sponsor of his amendment.

Mr. Charette moved adoption of the following amendment by Representatives Charette, North (Frances), Ceccarelli, North (Lois), Leckenby, Kraabel, Blair, Charnley, Douthwaite, Rabel, Smith, Tilly and Wilson:

On line 2 after "ASSEMBLED:" strike the remainder of the material and insert:

"THAT, At the next general election to be held in this state there shall be submitted to the qualified electors of the state for their approval and ratification, or rejection, an amendment to Article VII of the Constitution of the State of Washington by adding a new Section 12 thereto to read as follows:

Article VII, Section 12. (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 tax upon, or to measure a tax by, net income as defined by the legislature in accordance with the following condition:

(a) The highest rate of any tax imposed upon or measured by the net income of individuals shall not exceed eight percent and the highest rate of any tax imposed upon or measured by the net income of corporations shall not exceed twelve percent.

(b) The rate schedule for a tax imposed upon or measured by the net income of individuals shall be at rates progressively higher on income amounts over specified levels 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.

(c) 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 an act by the legislature imposing a tax upon or measured by net income 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.

(3) Notwithstanding any other provision of this Constitution, not later than twelve months after a tax imposed upon or measured by net income takes effect, and during the time such tax is in effect thereafter:

(a) 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.

(b) The state shall guarantee full funding of a basic program of education, as defined by the legislature.

(c) No sale or use tax shall be imposed on the sale or use of the following articles as defined by the legislature: (i) food products for off-premises human consumption, and (ii) prescription drugs.

(d) The aggregate rate of any general retail sales or use tax as imposed by the state and political subdivisions thereof may not exceed five and three-tenths percent.

(e) The state shall not impose any general business and occupation tax at a greater rate than one-quarter of one percent of gross income where such tax is imposed as of January 1, 1973 by session laws sections 82.04.010 through 82.04.290, chapter 15, Laws of 1961, as amended and where such income is also subject to a tax imposed upon or measured by net income derived from such business or occupation.

(4) Notwithstanding any other provisions of this Constitution:

(a) Upon and after December 31, 1979, business inventories held for sale shall be exempt from ad valorem taxes.

(b) In the case of property 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 such property occurring between the time of acquisition by the taxpayer and the effective date of such act.

(5) Notwithstanding any other provision of this Constitution, the legislature may by law:

(a) 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) 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.

(c) Define terms used in this Section 12 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. 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."

Representatives Charette and Julin spoke in favor of the amendment, and Representative Barden spoke against it.

The amendment by Representative Charette and others was adopted.

House Joint Resolution No. 37 was ordered engrossed.

On motion of Mr. Chatalas, the rules were suspended, the second reading considered the third, and Engrossed House Joint Resolution No. 37 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 37, and the resolution passed the House by the following vote: Yeas, 72; nays, 25; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gaspard, Goltz, Hansen, Hansey, Hoggins, Jastad, Johnson, Julin, Kalich, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, Nelson, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Rabel,



Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Bausch, Benitz, Cunningham, Eikenberry, Freeman, Gallagher, Garrett, Gilleland, Haussler, Hayner, Hendricks, Hurley, Juelling, Kelley, Kopet, May, McCormick, Morrison, Newhouse, Pardini, Polk, Pullen, Schumaker, Swayze.

Not voting: Representative Moon.

Engrossed House Joint Resolution No. 37, having received the constitutional majority, was declared passed.

#### MOTIONS

On motion of Mr. Charette, Engrossed House Joint Resolution No. 37 was ordered transmitted immediately to the Senate.

Mr. Thompson moved that the House do now consider the following bills on the second reading calendar in the following order: SENATE BILL NO. 2643, ENGROSSED SUBSTITUTE SENATE BILL NO. 2813, SUBSTITUTE SENATE BILL NO. 2717, SUBSTITUTE SENATE BILL NO. 2897, ENGROSSED SENATE BILL NO. 2319, ENGROSSED SENATE BILL NO. 2435, SENATE BILL NO. 2452, ENGROSSED SUBSTITUTE SENATE BILL NO. 2531, SUBSTITUTE SENATE BILL NO. 2589, and SENATE BILL NO. 2036.

The motion was carried.

#### SECOND READING

SENATE BILL NO. 2643, by Senators Dore and Mardesich:

Permitting bank holding companies to acquire 100% control of one bank, but no more than 25% of more than one bank.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2643 was placed on final passage.

Mr. Ceccarelli spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2643, and the bill passed the House by the following vote: Yeas, 78; nays, 16; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, Knowles, Kopet, Kraabel, Kuehnle,

Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Swayze, Thompson, Tilly, Valle, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barden, Bausch, Clemente, Cunningham, Ehlers, King, Laughlin, Lysen, Perry, Shipoch, Smith, Sommers, Van Dyk, Williams.

Not voting: Representatives Gilleland, Kelley, Moon, Smythe.

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.

ENGROSSED 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.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Reports of Standing Committees, today's Journal, morning session.)

The bill was read the second time.

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

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2813 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2813 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 8; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Swayze,

Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Beck, Curtis, Ehlers, Flanagan, Hayner, Paris, Tilly.

Not voting: Representatives Hansen, Knowles, Parker, Smythe, Zimmerman.

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.

SUBSTITUTE SENATE BILL NO. 2717, by Committee on Judiciary (Originally sponsored by Senators Durkan, Peterson [Ted], Sandison and Walgren):

Creating an organized crime intelligence unit.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2717 was placed on final passage.

Mr. Williams spoke in favor of the bill, and Representatives Swayze, Perry and Charnley spoke against passage of the bill.

MOTION

Mr. Charette moved that the House defer further consideration of Substitute Senate Bill No. 2717, and the bill be ordered placed on tomorrow's third reading calendar.

Mr. Eikenberry spoke against the motion.

The motion by Mr. Charette was carried.

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 bill was read the second time.

MOTION

Mr. Douthwaite moved that Substitute Senate Bill No. 2897 be rereferred to the Committee on Financial Institutions for further study.

Mr. Douthwaite spoke in favor of the motion, and Mr. Ceccarelli spoke against it.

Mr. Douthwaite spoke again in favor of the motion.

Mr. Lysen spoke in favor of the motion by Mr. Douthwaite, and Representatives Polk, Pardini and Leckenby spoke against it.

Mr. Newhouse demanded the previous question and the demand was sustained.

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

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Douthwaite to rerefer Substitute Senate Bill No. 2897 to the Committee on Financial Institutions, and the motion was lost by the following vote: Yeas, 29; nays, 67; not voting, 2.

Voting yea: Representatives Bauer, Bausch, Beck, Bender, Brown, Charnley, Clemente, Douthwaite, Ehlers, Eng, Erickson, Fortson, Goltz, Johnson, Kilbury, Knowles, Laughlin, Lysen, May, Moon, North F., Parker, Savage, Smith, Sommers, Swayze, Valle, Van Dyk, Williams.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Juelling, Julin, Kalich, Kelley, King, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Martinis, Matthews, Maxie, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shipoch, Smythe, Thompson, Tilly, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Jastad, Paris.

#### PERSONAL PRIVILEGE

Mr. Barden: "Earlier today I had a series of amendments to the budget bill about which I felt as strongly as the proponents of the myriad of amendments to this bill. And for the convenience of the House, in order to expedite the business of the House, I asked that all those amendments be considered at one time, so that we could decide whether or not we wanted to take a certain course of action. I would ask that the sponsors of these amendments please consider them all at once, so that we can decide these amendments and the drastic redirection of the bill that they propose, and then we get on with the business of either voting this bill up or down--after the four years of intensive study and action that it has received on the floor of this House. I just offer that as a point of personal privilege, saying that to delay action and kill bills below this on the calendar by considering these amendments one after the other (which all have the same intent) is not really serving the people or the other members of this House who have important legislation hanging below this bill."

Mr. Bender moved adoption of the following amendment to Substitute Senate Bill No. 2897 by Representatives Bender, Fortson, Van Dyk, Clemente, Sommers, Bausch, Charnley, Douthwaite, North (Frances), Valle, Moon and May: On page 1, section 1, line 27 after "~~(one)~~" and before "thousand" strike "five" and insert "two"

Representatives Bender, Cunningham and Van Dyk spoke in favor of adoption of the amendment, and Representatives Bagnariol and Ceccarelli spoke against it.

Mr. Williams demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Anderson, Conner, Gilleland and Swayze.

#### MOTIONS

On motion of Mr. Thompson, the absent members were excused and the House proceeded with business under the Call of the House.

On motion of Mr. Thompson, Senate Bill No. 2643 and Engrossed Substitute Senate Bill No. 2813 as amended by the House were ordered transmitted immediately to the Senate.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be adoption of the amendment by Representative Bender and others to Substitute Senate Bill No. 2897.

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

Mr. Kuehnle spoke against adoption of the amendment.

Representatives Anderson and Conner appeared at the bar of the House.

Mr. Clemente requested permission of the House to read a letter from the Attorney General's office.

Mr. Barden objected.

#### MOTION

Mr. Lysen moved that Mr. Clemente be allowed to read the letter.

The motion was carried.

Mr. Clemente read a letter from William H. Clarke of the Attorney General's office, and spoke in favor of adoption of the amendment.

Representatives Chatalas, Pardini and Laughlin spoke against adoption of the amendment by Representative Bender and others, and Representatives Savage, Moon and Bender spoke in favor of the amendment.

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Bender and others to Substitute Senate Bill No. 2897, and the amendment was lost by the following vote: Yeas, 46; nays, 50; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bauer, Bausch, Beck, Bender, Brown, Charnley, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Jastad, Johnson, Kelley, Kilbury, King, Knowles, Lysen, Martinis, May, McCormick, Moon, North F., Paris, Parker, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn.

Voting nay: Representatives Amen, Bagnariol, Barden, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Chatalas, Curtis, Eikenberry, Eng, Flanagan, Freeman, Garrett, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Juelling, Julin, Kalich, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Matthews, Maxie, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Patterson, Perry, Polk, Pullen, Schumaker, Smythe, Tilly, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gilleland, Swayze.

#### MOTION

Mr. Douthwaite moved that further consideration of Substitute Senate Bill No. 2897 be deferred, and that the bill be placed at the bottom of today's second reading calendar.

Mr. Douthwaite spoke in favor of the motion.

#### QUESTION OF CONSIDERATION

Mr. Barden raised the question of consideration on the motion by Mr. Douthwaite.

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Your motion at this time is out of order, Mr. Barden, since discussion has begun on the motion. (It probably would be out of order on that kind of a motion anyway.)"

Mr. Pardini demanded the previous question and the demand was sustained.

The motion by Mr. Douthwaite was lost.

The Clerk read the following amendment by Representatives Bender, Fortson, Van Dyk, Clemente, Sommers, Bausch, Charnley, Douthwaite, North (Frances), Valle, Moon and May:

On page 6, section 7, line 1 after "~~((one))~~" and before "thousand" strike "five" and insert "two"

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

Mr. Bender moved adoption of the following amendment by Representatives Bender, Sommers, Williams, Van Dyk, Lysen, Eng, Clemente, Bausch, Charnley, Douthwaite, North (Frances), Valle, Moon and May:

On page 7, section 8, beginning on 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))~~) two and one-half percent per month on that part of the unpaid principal balance of any loan not in excess of (~~((three))~~) five hundred dollars, one and one-half percent per month on that part of the unpaid principal balance of any loan in excess of (~~((three))~~) five hundred dollars and not in excess of (~~((five hundred))~~) one thousand 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))~~)."

Mr. Bender spoke in favor of adoption of the amendment, and Mr. Pardini spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Bender and others to Substitute Senate Bill No. 2897, and the amendment was lost by the following vote: Yeas, 46; nays, 50; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bauer, Bausch, Beck, Bender, Brown, Charnley, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Jastad, Johnson, Kelley, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, May, McCormick, Moon, North F., Paris, Parker, Rabel, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn.

Voting nay: Representatives Amen, Bagnariol, Barden, Benitz, Berentson, Blair, Bluechel, Ceccarelli,

Charette, Chatalas, Cunningham, Curtis, Eikenberry, Eng, Flanagan, Freeman, Garrett, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Juelling, Julin, Kalich, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Matthews, Maxie, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Patterson, Perry, Polk, Pullen, Schumaker, Smythe, Tilly, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gilleland, Swayze.

Mr. Douthwaite moved adoption of the following amendment:

On page 11, section 9, line 6, after "((twenty-five))" and before "and" strike "sixty" and insert "thirty-six"

Representatives Douthwaite and Charnley spoke in favor of adoption of the amendment, and Representative Bagnariol spoke against it.

#### MOTION

Mr. Savage moved that Substitute Senate Bill No. 2897 be indefinitely postponed.

Mr. Savage spoke in favor of the motion.

#### PARLIAMENTARY INQUIRY

Mr. Barden: "Mr. Speaker, is this still the thirty-sixth legislative day of the first extraordinary session of the forty-third legislature?"

The Speaker (Mr. O'Brien presiding): "We are on the thirty-sixth legislative working day. I can quote from several Speakers, but the most recent Speaker I can quote from is Speaker Swayze. It isn't necessary for me to quote entirely from his opinion. (He went on at great length.)"

Mr. Barden spoke against the motion by Mr. Savage.

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

#### PARLIAMENTARY INQUIRY

Mr. Lysen: "Could you tell me what time it is, and what day it is?"

The Speaker (Mr. O'Brien presiding): "I just replied to it, Mr. Lysen. We are still working on the thirty-sixth legislative day."

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Savage to indefinitely postpone Substitute Senate Bill No. 2897, and the motion was lost by the following vote: Yeas, 34; nays, 62; not voting, 2.

Voting yea: Representatives Anderson, Bauer, Bausch, Beck, Bender, Brown, Charnley, Clemente, Conner,



Douthwaite, Ehlers, Erickson, Fortson, Gallagher, Gaspard, Goltz, Haussler, Johnson, Kelley, Kilbury, King, Laughlin, Lysen, May, Moon, North F., Paris, Savage, Shipoch, Smith, Sommers, Valle, Van Dyk, Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Barden, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Chatalas, Cunningham, Curtis, Eikenberry, Ellis, Eng, Flanagan, Freeman, Gaines, Garrett, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jastad, Jueling, Julin, Kalich, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Martinis, Matthews, Maxie, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Smythe, Thompson, Tilly, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gilleland, Swayze.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Mr. Douthwaite to page 11, line 6.

The amendment was not adopted.

Mr. Douthwaite moved adoption of the following amendments:

On page 11, section 10, line 16 after "((one))" and before "thousand" strike "five" and insert "two"

On page 11, section 11, line 21 after "((one))" and before "thousand" strike "five" and insert "two"

Mr. Douthwaite spoke in favor of the amendments, and the amendments were lost.

The Clerk read the following amendments by Representatives Bender, Van Dyk, Clemente, Sommers and Eng:

On page 12, section 12, line 8 after "((one))" and before "thousand" on line 9 strike "five" and insert "two"

On page 12, section 12, line 19 after "((one))" and before "thousand" strike "five" and insert "two"

With the consent of the House, Mr. Bender withdrew the amendments.

The Clerk read the following amendment by Representatives Lysen and Van Dyk:

On page 12, following the last section, 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:

(1) There is hereby created a small loan advertising board for the purpose of reviewing advertising and promotional materials prepared and/or published by licensees under this chapter. The board shall be composed of five members appointed by the governor and generally representative of the public as consumers, labor, business and financial institutions. The board shall have the authority to reject materials deemed to be false or misleading or not in the public interest.

(2) Members of the board shall serve at the pleasure of the governor. Members shall receive no compensation but

shall be reimbursed for their expenses while attending meetings of the board in the same manner as legislators engaged in interim committee business as in RCW 44.04.120.

(3) No licensee under this chapter may deduct as a business expense an amount greater than one percent of its gross income derived from small loan business for the purpose of advertising and/or promotion."

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

#### POINT OF INQUIRY

Mr. Savage yielded to question by Mr. Lysen.

Mr. Lysen: "Representative Savage, could you tell me what time it is, and the date?"

Mr. Savage: "April 14, 12:30 a.m."

#### POINT OF ORDER

Mr. Chatalas: "I would like to remind Mr. Lysen that we haven't adjourned yet."

The Speaker (Mr. O'Brien presiding): "Your point is well taken."

The Clerk read the following amendment by Representatives Lysen and Clemente:

On page 12, following the last section, 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:

No licensee under this chapter shall advertise in such a manner as to state or imply that loans made pursuant to this chapter for the purpose of consolidating debts is a solution to financial problems. Violation of this section shall constitute a gross misdemeanor."

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

Mr. Moon 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."

Mr. Moon spoke in favor of the amendment, and Mr. Ceccarelli spoke against it.

Mr. Swayze appeared at the bar of the House.

Mr. Bluechel demanded the previous question and the demand was sustained.

PARLIAMENTARY INQUIRY

Mr. Moon: "Mr. Speaker, may I have the privilege of closing debate?"

The Speaker (Mr. O'Brien presiding): "Really you don't have that privilege, Mr. Moon. You only have it on final passage of a bill. House Rule No. 51 states that after the previous question has been ordered, you may close debate on final passage."

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

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Moon to Substitute Senate Bill No. 2897, and the amendment was lost by the following vote: Yeas, 39; nays, 58; not voting, 1.

Voting yea: Representatives Adams, Bauer, Bausch, Beck, Bender, Charnley, Clemente, Conner, Douthwaite, Ehlers, Erickson, Fortson, Gallagher, Gaspard, Goltz, Haussler, Jastad, Johnson, Kelley, Kilbury, King, Laughlin, Lysen, Martinis, May, McCormick, Moon, North F., Parker, Rabel, Savage, Shipoch, Smith, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

Voting nay: Representatives Amen, Anderson, Bagnariol, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Cunningham, Curtis, Eikenberry, Ellis, Eng, Flanagan, Freeman, Gaines, Garrett, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jueling, Julin, Kalich, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Matthews, Maxie, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Randall, Schumaker, Smythe, Sommers, Swayze, Tilly, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representative Gilleland.

Mr. Moon moved adoption of the following amendment:

On page 12, following the last section, 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 inquire of the applicant 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 knowingly 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. No financial statement taken from a borrower shall be used to hold a debt nondischargeable in any bankruptcy proceeding.

Any violation of this section shall operate to totally discharge any obligation to pay the interest on such current loan."

Representatives Moon and Charnley spoke in favor of the amendment, and Mr. Ceccarelli spoke against it.

The amendment by Mr. Moon was not adopted.

#### MOTION

Mr. Chatalas moved that the rules be suspended, the second reading considered the third, and Substitute Senate Bill No. 2897 be placed on final passage.

The motion was carried on a rising vote.

#### PARLIAMENTARY INQUIRY

Mr. Clemente: "May I inquire the total of the last vote?"

The Speaker (Mr. O'Brien presiding): "The total was 97."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute Senate Bill No. 2897.

Representatives Bagnariol, Barden and Charette spoke in favor of passage of the bill, and Representatives Bausch, Savage, Van Dyk, Valle, Laughlin and Charnley spoke against it.

Mr. Bluechel demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2897, and the bill failed to pass the House by the following vote: Yeas, 47; nays, 50; not voting, 1.

Voting yea: Representatives Amen, Bagnariol, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Chatalas, Curtis, Eikenberry, Ellis, Flanagan, Freeman, Gaines, Garrett, Hansen, Hansey, Hayner, Hoggins, Hurley, Jastad, Julin, Kalich, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Anderson, Barden, Bauer, Bausch, Beck, Bender, Brown, Charnley, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Haussler, Hendricks, Johnson, Juelling, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Newhouse, North F., Paris, Rabel, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn.

Not voting: Representative Gilleland.

Substitute Senate Bill No. 2897, having failed to receive the constitutional majority, was declared lost.

## STATEMENT FOR THE JOURNAL

On final passage of Substitute Senate Bill No. 2897, I voted "yes" because I believed that the citizens of this state are capable of deciding from whom they will borrow and at what rate. Many people who have a bad credit rating only have one place to go for credit--a small loan company. I did, however, vote for all the amendments that would lower the rates, but when they failed to pass I decided to vote for the bill because I believed it was a better law than we have now.

MIKE PARKER, 29th District.

## NOTICE OF RECONSIDERATION

Mr. Barden served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Substitute Senate Bill No. 2897 failed to pass the House.

## MOTION

Mr. Beck moved that the Committee on Judiciary be relieved of ENGROSSED SENATE BILL NO. 2077, and that it be placed at the top of the second reading calendar.

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

## MOTION

Mr. Charette moved that the motion by Mr. Beck be laid on the table.

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

## ROLL CALL

The Clerk called the roll on the motion by Mr. Charette to lay the motion by Mr. Beck (to relieve the Committee on Judiciary of Engrossed Senate Bill No. 2077) on the table, and the motion was carried by the following vote: Yeas, 56; nays, 41; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Gaines, Goltz, Haussler, Hoggins, Jastad, Johnson, Julin, Kalich, King, Knowles, Kraabel, Laughlin, Leckenby, Maxie, McCormick, Moon, Nelson, North F., Paris, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Beck, Bender, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Hansen, Hansey, Hayner, Hendricks, Hurley, Jueling, Kelley, Kilbury, Kopet, Kuehnle, Luders, Lysen, Martinis, Matthews,

May, Morrison, Newhouse, North L., O'Brien, Pardini, Patterson, Polk, Pullen, Schumaker, Smythe, Tilly.

Not voting: Representative Gilleland.

#### MOTION FOR RECONSIDERATION

Mr. Williams moved that the House do now reconsider the vote by which Substitute Senate Bill No. 2897 failed to pass.

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "We ruled previously today that to reconsider immediately would require a suspension of the rules. Notice was given to reconsider the vote on the next working day, so this would require a suspension of the rules."

#### SECOND READING

ENGROSSED 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.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2319 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2319, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Yoting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Gilleland.

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.

ENGROSSED SENATE BILL NO. 2435, by Senators Day, Atwood and Durkan:

Implementing the uniform alcoholism and intoxication treatment act.

The bill was read the second time.

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

On page 4, beginning on line 14 strike section 6

On page 1, beginning on line 6 of the title strike "; and making an appropriation"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2435 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2435 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Gilleland.

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.

#### PERSONAL PRIVILEGE

Mr. Bagnariol: "It has been a long, hard, very serious day. But just to get on a lighter side for a half a minute, I would like to wish 'Happy Birthday' to an eighteen-year veteran of this legislature, who is now the Speaker's Attorney, Mark Litchman. Mark, Happy Birthday."

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.

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

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."

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2452 as amended by the House was placed on final passage.

Mr. Douthwaite spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2452 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke,



Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Gilleland.

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.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2531, by Committee on Ecology (Originally sponsored by Senator Twig):

Defining environmental impact statement requirements.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2531 was placed on final passage.

Mr. Luders spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2531, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Hurley.

Not voting: Representative Gilleland.

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.

SUBSTITUTE SENATE BILL NO. 2589, by Committee on Financial Institutions (Originally sponsored by Senators Woody, Greive and Dore):

Setting maximum fees and interest chargeable by pawnbrokers.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2589 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2589, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Warnke.

Not voting: Representative Gilleland.

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. 2036, by Senators Odegaard, Talley and Gardner:

Creating a division of corrections within the department of social and health services.

The bill was read the second time.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Senate Bill No. 2036 be placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the motion to advance Senate Bill No. 2036 to third reading and final passage, and the motion was lost by the following vote: Yeas, 60; nays, 37; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hendricks, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Freeman, Hansey, Hayner, Hoggins, Hurley, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representative Gilleland.

## MOTION

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

## SENATE AMENDMENT TO HOUSE BILL

April 13, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 711 with 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. 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. 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, Mah Jongg, 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) '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.

(8) '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.

(9) '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.

(10) '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.

(11) '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 or Mah Jongg on equal terms with other participants. A person who engages in 'bookmaking' as defined in this section is not a 'player'.

(12) 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.

(13) '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.

(14) '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.

(15) '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.

(16) '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.

(17) '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.

(18) 'Bookmaking' means accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

(19) '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.

(20) '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 promoter so long as money or its equivalent does not pass to the promoter 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) Sending 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: 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 ten 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 any such outlet.

For purposes of this chapter, radio and television broadcasting is hereby declared to be preempted by federal statutes 18 United States Code section 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. 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.

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: 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:

(a) Gambling activity that ought to be permitted;

(b) Gambling activity that ought to be prohibited;

(c) The types of licenses and permits that ought to be required;

(d) The appropriate fee for each type of license and permit; and

(e) The type and amount of tax that ought to be applied to each type of permitted gambling activity.

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 may 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 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: 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 may 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 or 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;

(4) (a) The fees for permits except for agricultural fairs authorized under chapters 15.76 and 36.37 RCW issued pursuant to this chapter shall be as follows:

(i) Bingo--one hundred dollars per annum.

(ii) Raffles--twenty-five dollars per raffle: 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.

(iii) Amusement games--twenty-five dollars per annum.

(iv) Punch boards and pull-tabs (nonwholesale)--one hundred dollars per location per annum.

(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 or Mah Jongg 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.

(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.

(b) All fees required by this section shall be submitted with the application for the permit and shall be refunded if the application is denied.

(c) The commission, in its discretion, may waive all or any portion of the fees required by this section.

(5) 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.

(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.

(6) 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;

(7) To require that any permit holder maintain records as directed by the commission and submit such reports as the commission may deem necessary;

(8) 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 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: 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. 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 shall 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, and cause to be affixed on the face thereon a seal or other indication showing the approval of the commission;

(9) 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

(10) To review and determine any other fees or expenses incurred in the operation of gambling activities for which a permit is issued hereunder;

(11) To fix the amount and kind of prizes which any permit holder may award to the winners of any gambling activity;

(12) 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;

(13) To cooperate with and secure the cooperation of every department, agency or instrumentality in state government;

(14) 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;

(15) 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

(16) 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, which organizations may employ, subject to the specific approval of the commission, such persons as the commission approves to manage or operate any gambling activity which the organization is otherwise permitted to conduct, except for persons employed pursuant to section 11 (12) of this act, and 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 of violation thereof shall not be on such director, officer, and/or manager, and such director, officer and/or manager shall not be liable hereunder until proven in violation.

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, Mah Jongg 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 9.59.050; 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 31 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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Charette moved that the House do not concur in the Senate amendment to Engrossed Substitute House Bill No. 711 and that the Senate be asked to recede therefrom.

Mr. Charette spoke in favor of the motion.

#### POINT OF ORDER

Mrs. North (Lois): "I do not find this amendment on my desk. Is it here before us?"

The Speaker (Mr. O'Brien presiding): "No, it is not on your desk."

Mrs. North (Lois): "Then I would ask that we wait until it is on our desk on the next working day."

#### MOTION

On motion of Mr. Charette, the House deferred consideration of the Senate amendment to Engrossed Substitute House Bill No. 711, and the bill was held for consideration on the next working day.

#### MESSAGES FROM THE SENATE

April 13, 1973

Mr. Speaker:

The President 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.

Bill Gleason, Assistant Secretary.

April 13, 1973

Mr. Speaker:

The President has signed:

ENGROSSED HOUSE BILL NO. 105,

SUBSTITUTE HOUSE BILL NO. 306,  
ENGROSSED HOUSE BILL NO. 324,  
HOUSE BILL NO. 369,  
SUBSTITUTE HOUSE BILL NO. 392,  
SUBSTITUTE HOUSE BILL NO. 722,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 2105, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate concurred in the House amendment to SENATE BILL NO. 2190 and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2336, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2490, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2833, has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2835 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2847 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2918 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2226 as amended by the House, with the exception of amendments 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, from which the House receded.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 361,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 420,

HOUSE BILL NO. 422,

HOUSE BILL NO. 444,

ENGROSSED HOUSE BILL NO. 531,

HOUSE BILL NO. 698,

ENGROSSED HOUSE BILL NO. 928,

HOUSE BILL NO. 1008,

SUBSTITUTE HOUSE BILL NO. 1034,

HOUSE BILL NO. 1099,

HOUSE BILL NO. 1105,

HOUSE JOINT MEMORIAL NO. 1,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 18,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 13, 1973

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 2328 and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Charette, the House refused to recede from its amendments to Substitute Senate Bill No. 2328 and asked the Senate for a conference thereon.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) appointed Representatives Beck, Perry and Berentson as members of the Conference Committee on Substitute Senate Bill No. 2328.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker signed:

HOUSE BILL NO. 720,

HOUSE BILL NO. 901.

## INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2059, by Committee on Commerce (Originally sponsored 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.

To Committee on Commerce.

## REPORTS OF STANDING COMMITTEES

April 13, 1973

HOUSE BILL NO. 39, Prime Sponsor: Representative Chatalas, creating a state office of housing coordination, reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Ehlers, Gaines, Lysen, Moon, Perry, Thompson.

April 13, 1973

HOUSE BILL NO. 1024, Prime Sponsor: Representative Fortson, exempting community property from inheritance taxes when transferred to the surviving spouse, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation. Do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bluechel, Erickson, Goltz, Hurley, Kilbury, King, Kuehne, Newhouse, Pardini, Williams.



April 13, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2099, Prime sponsor of original bill: Senator Bottiger, authorizing a fire protection district service charge, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Erickson, Goltz, Hurley, Kilbury, King, Kuehnle, Pardini, Williams.

April 13, 1973

ENGROSSED SENATE BILL NO. 2614, Prime Sponsor: Senator Whetzel, specifying a rate classification for inheritance taxation, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass 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"

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Benitz, Eikenberry, Goltz, Hurley, King, Kuehnle, Newhouse, Pardini.

April 13, 1973

ENGROSSED SENATE BILL NO. 2866, Prime Sponsor: Senator Donohue, relating to revenue and taxation, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

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)) purchases"

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."

Renumber the remaining section consecutively

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;"

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Benitz, Eikenberry, Flanagan, Hurley, Kilbury, King, Kuehnle, Newhouse, Pardini.

#### MOTIONS

Mr. Thompson moved that the bills listed on the Reports of Standing Committees be placed on the second reading calendar.

The motion was carried.

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

#### MOTION FOR RECONSIDERATION

Mr. Tilly, having given notice on the preceding day, moved that the House do now reconsider the vote by which HOUSE BILL NO. 662 failed to pass the House.

Mr. Eikenberry spoke in favor of the motion.

The motion was carried.

#### MOTION

On motion of Mr. Parker, House Bill No. 662 was rereferred to the Committee on Rules.

#### MOTION

Mr. Eikenberry, having voted on the prevailing side, moved that the House do now reconsider the vote by which SENATE BILL NO. 2045 passed the House.

The motion was carried on a rising vote.

#### PARLIAMENTARY INQUIRY

Mr. Charette: "Mr. Speaker, when Mr. Eikenberry made his motion, did you consider both motions having been made, or only the motion to reconsider?"

The Speaker (Mr. O'Brien presiding): "Only the motion to reconsider."

Mr. Charette: "May I make a motion at this time, Mr. Speaker?"

The Speaker (Mr. O'Brien presiding): "Yes, you may."

#### MOTION

On motion of Mr. Charette, further consideration of Senate Bill No. 2045 was deferred until tomorrow's third reading calendar.

#### MOTION

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

#### MOTION

Mr. Wilson moved that the House dispense with further business under the Call of the House.

The motion was lost.

#### THIRD READING

HOUSE BILL NO. 1108, by Representatives Martinis, Luders, Adams, Kalich, Hansen, Kilbury, Fortson, Parker, Jastad and Clemente:

Enhancing the propagation of wildlife.

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

Mr. Martinis spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1108, and the bill passed the House by the following vote: Yeas, 68; nays, 29; not voting, 1.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby,

Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Patterson, Perry, Pullem, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Hansey, Hoggins, Jueling, Julin, Köpet, Kuehne, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Polk, Smythe, Swayze, Tilly.

Not voting: Representative Gilleland.

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.

MESSAGE FROM THE SENATE

April 13, 1973

Mr. Speaker:

The President has 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,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

On motion of Mr. Charette, House Bill No. 1108 was ordered transmitted immediately to the Senate.

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Saturday, April 14, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## THIRTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, April 14, 1973.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend William Treacy of St. Michael's Catholic Church of Olympia.

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

## 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 Mr. Bauer, the House adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 2096.

FINAL PASSAGE OF SENATE BILL AS AMENDED  
BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Senate Bill No. 2096 as amended by the Free Conference Committee.

ROLL CALL

The Clerk 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 House by the following vote: Yeas, 78; nays, 10; not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Perry, Pullen, Savage, Schumaker, Smith, Smythe, Sommers, Thompson, Tilly, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Cunningham, Eikenberry, Freeman, Gilleland, Hayner, Nelson, Polk, Shinpoch, Swayze.

Not voting: Representatives Bluechel, Chatalas, Gaines, Julin, Kraabel, Maxie, Patterson, Rabel, Randall, Valle.

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.

STATEMENT FOR THE JOURNAL

Please record me as voting "Yea" on Engrossed Senate Bill No. 2096 as amended by the Free Conference Committee.  
PEGGY JOAN MAXIE, 37th District.

MESSAGE FROM THE SENATE

April 13, 1973

Mr. Speaker:

The Senate has receded from its amendment to ENGROSSED HOUSE BILL NO. 638 on page 10, section 9, line 17, and has passed the bill as previously amended by the Senate, without the foregoing amendment, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 638 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 638 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smythe, Sommers, Swayze, Thompson, Tilly, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Anderson, Brown, Douthwaite, Hoggins, Johnson, Julin, May, Smith, Valle.

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.

## SENATE AMENDMENTS TO HOUSE BILL

April 12, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 621 with the following amendments:

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."

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." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Luders, the House concurred in the Senate amendments to Engrossed House Bill No. 621.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 621 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 621 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen,



Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bluechel, Brown.

Not voting: Representatives Douthwaite, Lysen, and Mr. Speaker.

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.

#### SENATE AMENDMENT TO HOUSE BILL

April 13, 1973

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1005 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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Conner moved that the House concur in the Senate amendment to Substitute House Bill No. 1005.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

The motion by Mr. Conner that the House concur in the Senate amendment to Substitute House Bill No. 1005 was carried.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1005 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1005 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Kuehnle, Newhouse, Smythe, and Mr. Speaker.

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.

## MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 2328, and the President has appointed as members of the Conference Committee thereon: Senators Walgren, Sandison and Guess.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

April 13, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1055 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" striking "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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Kilbury, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1055.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1055 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1055 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Portson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Smythe.

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.

#### SENATE AMENDMENT TO HOUSE BILL

April 13, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 704 with 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."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Williams, the House concurred in the Senate amendment to Engrossed House Bill No. 704.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 704 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 704 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; nays, 11; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Flanagan, Gilleland, Kelley, Kuehnle, Nelson, North L., Pardini, Schumaker, Warnke, Wilson.

Not voting: Representative Garrett.

Engrossed House Bill No. 704 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

Please change my vote on final passage of Engrossed House Bill No. 704 as amended by the Senate, from "Aye" to "No." I voted aye before checking the content of the bill.

BILL LECKENBY, 34th District.

## SENATE AMENDMENT TO HOUSE BILL

The House resumed consideration of the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 711. (For amendment see yesterday's Journal, evening session.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Charette that the House do not concur in the Senate amendment to Engrossed Substitute House Bill No. 711 and that the Senate

be asked to recede therefrom.

Mr. Kuehnle spoke in favor of the motion.

#### MOTION

Mr. Charnley moved that the House concur in the Senate amendment to Engrossed Substitute House Bill No. 711.

Representatives Charette, North (Lois), Julin, Beck and Rabel spoke against the motion to concur in the Senate amendment, and Representative Charnley spoke in favor of the motion.

Mr. Charette spoke again in opposition to the motion.

The motion by Mr. Charnley was lost.

The Speaker (Mr. O'Brien presiding) stated that the House by its action refused to concur in the Senate amendment to Engrossed Substitute House Bill No. 711 and asked the Senate to recede therefrom.

#### SENATE AMENDMENTS TO HOUSE BILL

April 13, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 160 with the following amendments:

On page 1, line 4 of the title, strike "RCW 63.36.040" and insert "RCW 63.36.010"

On page 1, section 2, line 26, strike "RCW 63.36.040" and insert "RCW 63.36.010" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Knowles, the House concurred in the Senate amendments to Engrossed House Bill No. 160.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 160 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 160 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis,

Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Douthwaite.

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.

#### SENATE AMENDMENT TO HOUSE BILL

April 13, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 252 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," and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Ceccarelli, the House concurred in the Senate amendment to House Bill No. 252.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 252 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 252 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yeas: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien,



Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Bagnariol.

Not voting: Representatives Blair, Fortson, Knowles, Luders, Randall, and Mr. Speaker.

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.

#### SENATE AMENDMENTS TO HOUSE BILL

April 12, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 721 with the following amendments:

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 48.170.330;"

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. and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Bagnariol, the House concurred in the Senate amendments to Engrossed House Bill No. 721.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 721 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 721 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Kelley.

Not voting: Representatives Kilbury, and Mr. Speaker.

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.

## SENATE AMENDMENTS TO HOUSE BILL

April 12, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 862 with the following amendments:

On page 3, section 2, line 10 after "sources" insert "except single family and duplex dwellings"

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 13 after "substance" and before "which" insert "other than natural vegetation"

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"

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"

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" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Luders, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 862.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 862 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 862 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 3, not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Charnley, Lysen, Valle.

Not voting: Mr. Speaker.

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.

## SENATE AMENDMENT TO HOUSE BILL

April 13, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 674 with the following amendment:

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 remaining sections consecutively and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Adams moved that the House concur in the Senate amendment to Engrossed Substitute House Bill No. 674.

The motion was carried on a rising vote.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 674 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 674 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Hayner, Polk, Tilly.

Not voting: Representatives Kraabel, Pardini, Zimmerman.

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.

## SENATE AMENDMENT TO HOUSE BILL

April 13, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 731 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" and the same is hereby transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Adams moved that the House concur in the Senate amendment to House Bill No. 731.

Representatives Adams and Matthews spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Matthews yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I think we deserve to know what those three RCW's contain in terms of reporting about psychiatric patients. What exactly is involved here in these three RCW's?"

Mr. Matthews: "RCW 71.12.560 has to do with reporting the admission of voluntary patients. All three of these sections have to do with requirements imposed on institutions now. All three of these simply bring nursing homes into that same chapter so that they also, just like all other institutions, have to report the same processes that are within the statutes now. I think without belaboring the point that this is exactly what these do. They are very good reporting procedures, I think."

Mr. Parker spoke in favor of the motion to concur in the Senate amendment.

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 731 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 731 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Wanke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Douthwaite, Kraabel.

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.

## SENATE AMENDMENTS TO HOUSE BILL

April 13, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 766 with the following amendments:

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

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"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Parker moved that the House concur in the three Senate amendments to page 5 of the bill, but that the House do not concur in the Senate amendment to the title and that the Senate be asked to recede therefrom.

The motion was carried.

## SENATE AMENDMENT TO HOUSE BILL

April 13, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 485 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)"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Bagnariol, the House concurred in the Senate amendment to Engrossed House Bill No. 485.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 485 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 485 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Eng.

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.

## SENATE AMENDMENTS TO HOUSE BILL

April 13, 1973

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 340 with the following amendments:

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."

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."



and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Parker moved that the House concur in the Senate amendments to Substitute House Bill No. 340.

Mr. Parker spoke in favor of the motion, and Mr. Morrison spoke against it.

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

Representatives Pardini, Charnley and Curtis spoke against the motion to concur, and Representative Parker spoke again in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Parker that the House concur in the Senate amendments to Substitute House Bill No. 340, and the motion was lost by the following vote: Yeas, 45; nays, 52; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bausch, Beck, Ceccarelli, Charette, Chatalas, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hurley, Jastad, Kalich, Kelley, Knowles, Kuehnle, Luders, Lysen, Martinis, Maxie, May, McCormick, O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bauer, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Clemente, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Juelling, Julin, Kilbury, King, Kopet, Kraabel, Laughlin, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Valle, Wilson, Zimmerman.

Not voting: Representative Johnson.

The Speaker (Mr. O'Brien presiding) stated that the House, by its action, refused to concur in the Senate amendments to Substitute House Bill No. 340 and asked the Senate to recede therefrom.

#### MESSAGE FROM THE SENATE

April 13, 1973

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2803, and asks the House for a conference thereon, and the President has appointed as members of said Conference Committee: Senators Odegaard, Donohue and Atwood.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Bagnariol, the House granted the request of the Senate for a conference on Engrossed Senate Bill No. 2803.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) announced that the Speaker appointed Representatives Bagnariol, Shinpoch and Kopet as members of the Conference Committee on Engrossed Senate Bill No. 2803.

## SENATE AMENDMENTS TO HOUSE BILL

April 13, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 76 with the following amendments:

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."

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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Bagnariol moved that the House concur in the Senate amendments to Engrossed House Bill No. 76.

Mr. Bagnariol spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Bagnariol, we passed earlier a Nurses Practices Act, which I think perhaps provided for their involvement in a number of areas that were formerly services provided only by doctors. Does this have a tie-in now with allowing them a certain financial latitude in this same area?"

Mr. Bagnariol: "It really does the subscribers of health care contracts a service, because if a person is in a position to use the services of a nurse, currently the nurse could not be paid for by health care contractors. With this language they could be paid for and therefore the subscriber would have the benefit of that service and that service would generally be at a cost with the health care contract far less than if a physician was doing the same work."

Mr. Pardini spoke in favor of the motion to concur in the Senate amendments.

The motion was carried.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 76 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 76 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 5; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Brown, Douthwaite, Erickson, Rabel, Zimmerman.

Not voting: Representative Bluechel.

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.

## MESSAGE FROM THE SENATE

April 11, 1973

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2306 and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Haussler, the House refused to recede from its amendments to Engrossed Senate Bill No. 2306 and asked the Senate for a conference thereon.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) announced that the Speaker appointed Representatives Haussler, Julin and Kalich as members of the Conference Committee on Engrossed Senate Bill No. 2306.

## MOTION

On motion of Mr. Charette, the House recessed until 2:15 p.m.

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AFTERNOON SESSION  
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The House was called to order at 2:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

## SECOND READING

ENGROSSED SENATE BILL NO. 2382, by Senator Woody (by Washington Judicial Retirement Board request):

Pertaining to judicial retirement benefits.

The bill was read the second time.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2382 was placed on final passage.

Mr. Knowles spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2382, and the bill passed the House by the following vote: Yeas, 89; nays, 5; not voting, 4.

Voting Yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Charnley, Ehlers, Pullen, Warnke.

Not voting: Representatives Hayner, Hoggins, Juelling, Kraabel.

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.

## MOTION

Mr. Thompson moved that the House bills on today's second reading calendar be rereferred to the Committee on Rules.

The motion was carried.

## SENATE AMENDMENTS TO HOUSE BILL

April 11, 1973

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 53 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 of 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 and 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)) five 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. 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. 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. 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 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.

Sec. 9. 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. 10. 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 11 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 11 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 ratio.

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 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 10 and 17 of this 1973 amendatory act.

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:

(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 10 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. 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:

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. 14. 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. 15. 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. 16. 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. 17. 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 11 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. 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 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. 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:

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. 20. 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. 21. 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 83.34.110;

(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 "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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Flanagan moved that the House do not concur in the Senate amendments to Substitute House Bill No. 53 and that the Senate be asked to recede therefrom.

Mr. Kilbury spoke in favor of the motion.

The motion was carried.

#### SECOND READING

ENGROSSED SENATE BILL NO. 2425, by Senators Odegaard, Grant and Henry:

Implementing the law relating to write-in-voting at primaries and general elections.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendment see Journal for thirty-first day, Ex. Sess., April 8, 1973.)

The bill was read the second time.

On motion of Mr. King, the committee amendment was adopted.

Mr. Brown moved adoption of the following amendment by Representatives Kuehne, Brown and McCormick:

On page 2, line 32 of the printed bill add a new section to read as follows:

"Sec. 3. 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 are each amended to read as follows:

The registration files of all precincts shall be closed against original registration or transfers ((between counties)) for thirty days immediately preceding every



election and primary to be held in such precincts, respectively ((; but they shall remain open for an additional fifteen days for transfers of registration from one precinct within the county to another precinct in the same county)).

The county auditor shall give notice of the closing of said files for original registration and transfer by one publication in a newspaper of general circulation in the county at least five days before such closing."

#### POINT OF ORDER

Mr. King: "I believe the amendment is beyond the scope and object of the bill. The bill deals with write-in-voting. The amendment has to do with the time that county auditors are allowed to process transfers of voters within a county. It is an entirely different subject."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Mr. King raised a point of order on the germaneness of the amendment offered by Representatives Kuehne, Brown and McCormick. It appears the subject matter contained in the proposed amendment is different from the overall purpose of Senate Bill No. 2425, where it provides mainly for the write-in process and the nomination and the counts of such ballots. The amendment goes beyond the original proposition. Therefore, in the opinion of the Speaker, it is not germane or relevant to the main subject matter. Your point of order is well taken, Mr. King, and the amendment is declared out of order."

Mr. King moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2425 as amended by the House be placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Bill No. 2425 to third reading and final passage, and the motion was lost by the following vote: Yeas, 57; nays, 41; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis,

Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

ENGROSSED 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.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments see Journal for twenty-ninth day, Ex. Sess., April 6, 1973.)

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

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2491 as amended by the House was placed on final passage.

Mr. Parker spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2491 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative McCormick.

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.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker signed:

SUBSTITUTE SENATE BILL NO. 2066,  
 SENATE BILL NO. 2088,  
 SUBSTITUTE SENATE BILL NO. 2105,  
 SENATE BILL NO. 2183,  
 SENATE BILL NO. 2190,  
 SUBSTITUTE SENATE BILL NO. 2226,  
 SUBSTITUTE SENATE BILL NO. 2250,  
 SENATE BILL NO. 2270,  
 SUBSTITUTE SENATE BILL NO. 2336,  
 SENATE BILL NO. 2337,  
 SENATE BILL NO. 2490,  
 SENATE BILL NO. 2513,  
 SENATE BILL NO. 2833,  
 SENATE BILL NO. 2835,  
 SENATE BILL NO. 2847,  
 SENATE BILL NO. 2918.

## SENATE AMENDMENT TO HOUSE BILL

April 14, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 362 with the following amendment:

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" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Parker, the House concurred in the Senate amendment to House Bill No. 362.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 362 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 362 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling,

Julin, Kalich, Kelley, Kilbury, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Gallagher, King, Sommers, and Mr. Speaker.

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.

#### SENATE AMENDMENTS TO HOUSE BILL

April 13, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 442 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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Conner moved that the House concur in the Senate amendments to House Bill No. 442.

Mr. Conner spoke in favor of the motion, and Mr. Curtis spoke against it.

#### POINT OF INQUIRY

Mr. Blair: "Would Representative Conner yield to question?"

Mr. Conner refused to yield to question.

Mr. Blair spoke against the motion to concur in the Senate amendments.

## PARLIAMENTARY INQUIRY

Mr. Blair: "Is it too late, Mr. Speaker, to request that the question be divided on these amendments? If it is not, I would like to move that we divide the first three amendments from the fourth."

The Speaker (Mr. O'Brien presiding): "Mr. Blair, in connection with your question on whether or not you could make a motion to divide the question: You preceded the motion with your remarks. On that basis, you would be out of order to make a motion at that stage of your discussion."

Mr. Chatalas demanded an electric roll call on the motion to concur in the Senate amendments, and the demand was sustained.

## MOTION

Mr. Curtis moved that the question be divided.

Mr. Curtis spoke in favor of the motion, and Mr. Conner spoke against it.

The motion by Mr. Curtis to divide the question was carried on a rising vote.

## PARLIAMENTARY INQUIRY

Mr. Curtis: "The motion to divide carried. What is the proper procedure? Do I then move to concur in the last amendment and not concur in the first three?"

The Speaker (Mr. O'Brien presiding): "That would be proper, yes."

## MOTION

Mr. Curtis moved that the House do not concur in the first three Senate amendments to House Bill No. 442, and that the Senate be asked to recede therefrom.

Mr. Curtis spoke in favor of the motion.

## MOTION

Mr. Conner moved that the House do concur in the first three Senate amendments to House Bill No. 442.

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

Representatives Douthwaite and Sommers spoke against the motion.

## POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Amen.

Mr. Amen: "Representative Conner, would you explain what this really means then, since you made the positive motion? Would you make it clear to us, please?"

Mr. Conner: "I don't think that I can. The officials of the state firemen and the paid policemen who are down here got the Assistant Attorney General, and we had the Speaker's attorney and our caucus attorney look at these amendments, and they are in agreement. So I am reflecting the views of the law enforcement officers, the volunteer firemen, and the firefighters in this particular regard."

Mr. Clemente spoke in favor of the motion, and Mr. Curtis spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to concur in the first three Senate amendments to House Bill No. 442, and the motion was carried by the following vote: Yeas, 52; nays, 45; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Mr. Speaker.

#### MOTION

Mr. Conner moved that the House concur in the fourth Senate amendment to House Bill No. 442.

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

Mr. Curtis spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Conner to concur in the fourth Senate amendment to House Bill No. 442, and the motion was carried by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette,

Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Ehlers, Hoggins, Kopet, and Mr. Speaker.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 442 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 442 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Mr. Speaker.

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.

#### MESSAGES FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2256, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2294, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2435, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 2813, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 208,

SUBSTITUTE HOUSE BILL NO. 429,

ENGROSSED HOUSE BILL NO. 564,

ENGROSSED HOUSE BILL NO. 769,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SECOND READING

ENGROSSED SENATE BILL NO. 2504, by Senators Sandison and Bailey:

Establishing a board on geographic names.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2504 was placed on final passage.

Mr. Williams spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2504, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling,



Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pullen.

Not voting: Representative Gaines.

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. 2522, by Senators Henry, Woodall and Jolly (by Department of Highways request):

Amending provisions regarding state highway routes.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal for thirty-second day, Ex. Sess., April 9, 1973.)

The bill was read the second time.

Mr. Beck moved adoption of the committee amendment adding new sections to page 11 of the bill.

Mr. Gilleland moved adoption of the following amendment to the committee amendment:

On page 2 of the committee amendment, following section 17 insert a new section as follows:

"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 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."

Renumber the remaining section consecutively.

Representatives Gilleland, Perry and Beck spoke in favor of the amendment to the committee amendment.

The amendment by Mr. Gilleland to the committee amendment was adopted.

Mrs. Hurley moved adoption of the following amendment to the committee amendment:

On page 2 of the committee amendment, after section 17 insert the following:

"NEW SECTION. Sec. 18. The state highway commission shall make no expenditures during the 1973-75 biennium on the Spokane north-south freeway; specifically, those

projects listed in the priority program as state project 62128A - SR 90 to Trent Avenue, state project 62128B - Trent Avenue to Francis Avenue, and 62128C - Francis Avenue to existing SR 2.

Nor shall the projects listed be reprogrammed for construction until such time as a study of the corridor alternatives can be made, with recommendations thereto, by the legislative transportation committee in cooperation with the state highway commission."

Renumber the remaining sections consecutively.

Mrs. Hurley spoke in favor of adoption of the amendment to the amendment, and Representatives Perry and Amen spoke against it.

Mrs. Hurley spoke again in favor of the amendment.

The amendment by Mrs. Hurley to the committee amendment was lost on a rising vote.

Mr. Conner moved adoption of the following amendment by Representatives Conner and Berentson to the committee amendment to Senate Bill No. 2522:

Strike the entire committee amendment and insert the following:

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 34; beginning at Newport; thence in a northerly direction to a junction with state

route number 294 in the vicinity of Tiger;

((42)) 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;

((43)) (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;

((44)) (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;

((45)) (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;

((46)) (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;

((47)) (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;

((48)) (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;

((49)) (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 443, beginning at the Keystone ferry slip on Whidbey island; thence easterly to a junction with state route number 525;

{24}) {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 26 N, 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 34 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 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 453 in the vicinity south of Twisp; also

From that junction with state route number 453 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."

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"

Representatives Conner, Berentson, Perry and Charnley spoke in favor of adoption of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Hansey.

Mr. Hansey: "Representative Conner, I notice that the amendment that you are proposing is to section 10, on page 5 of the bill. And that particular section says that 'The following portions of highways are designated as part of the scenic and recreational highway system.' Is it the intent of this bill that this highway would be under the scenic highway system which would outlaw billboards in addition to other requirements of that proposal along the entire route?"

Mr. Conner: "Well, the areas in question, as I understand it, and we had the assistant attorney general, Mr. Huey, work on this in the Code Reviser's office, and he says this bill is technically correct, and with the exception of one or two small areas that were not under the scenic, that it is as the present system is now."



Mr. Hansey: "Then that would put the entire length of the new designated highway 20 under the scenic and recreational highway system as it is presently worded. Is that your understanding?"

Mr. Conner: "As I understood Mr. Huey and Mr. Garlington, there were no changes in that area."

MOTION

On motion of Mr. Thompson, the House deferred further consideration of Senate Bill No. 2522, and the bill was placed on the second reading calendar following Engrossed Senate Bill No. 2841.

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.

Committee on State Government recommendation: Do pass as amended. (For amendment, see Journal for thirty-first day, Ex. Sess., April 8, 1973.)

The bill was read the second time.

On motion of Mr. Williams, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2672 as amended by the House was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2672 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Mr. Speaker.

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.

SUBSTITUTE SENATE BILL NO. 2736, by Committee on Judiciary (Originally sponsored by Senator Marsh):

Making it a misdemeanor to obtain broadcast signals from a cable system without obtaining the permission of the owner of the system.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2736 was placed on final passage.

Mr. Kelley spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2736, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Fortson, Gaines, Pardini, Parker, and Mr. Speaker.

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.

#### MOTION

On motion of Mr. Thompson, the bills passed today were ordered transmitted immediately to the Senate.

SENATE BILL NO. 2790, by Senators Ridder and Peterson (Lowell) - by Office of Program Planning and Fiscal Management request:

Setting the amount of forest fire protection assessments.

Committee on Natural Resources recommendation: Do pass as amended. (For amendments see Journal for thirty-third day, Ex. Sess., April 10, 1973.)

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

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Senate Bill No. 2790 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2790 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Hansey, Schumaker, Shinpoch.

Not voting: Representative Nelson.

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.

#### MOTION

On motion of Mr. Thompson, the House resumed consideration of Senate Bill No. 2522 on second reading.

SENATE BILL NO. 2522, by Senators Henry, Woodall and Jolly (by Department of Highways request):

Amending provisions regarding state highway routes.

The House resumed consideration of the bill.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representatives Conner and Berentson to the committee amendment.

Representatives Perry, Conner, Wilson and Fortson spoke in favor of the amendment to the amendment, and Mr. Hansey spoke against it.

The amendment by Representatives Conner and Berentson to the committee amendment was adopted.

#### MOTION

On motion of Mr. Thompson, the House deferred further consideration of Senate Bill No. 2522, and the bill was placed on the second reading calendar following Engrossed Senate Bill No. 2289.

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.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Senate Bill No. 2805 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2805, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Benitz, Kuehne, Schumaker.

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.

ENGROSSED SENATE BILL NO. 2841, by Senator Fleming:

Providing a sales tax exemption for hospital laundry services.

The bill was read the second time.

Mr. Barden moved adoption of the following amendment:

On page 2, section 1, line 18 strike "members by nonprofit associations composed exclusively of"

Representative Barden spoke in favor of adoption of the amendment, and Representatives Randall and Charette spoke against it.

Mr. Barden closed debate speaking again in favor of the amendment.

The amendment by Mr. Barden was not adopted.

Ms. Maxie moved adoption of the following amendment by Representatives Maxie, Newhouse and Perry:

On page 2, section 1, line 18 after "of" and before "hospitals" insert "nonprofit"

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

The amendment by Representatives Maxie, Newhouse and Perry to Engrossed Senate Bill No. 2841 was adopted.

Mr. Smythe moved adoption of the following amendment by Representatives Smythe and Hoggins:

On page 4, after section 1, add new sections as follows:

"NEW SECTION. Sec. 2. The legislature of the state of Washington hereby finds and declares:

(1) That the residents of the state are calling clearly and urgently for property tax relief and for ample state level support of basic education as required by the Constitution;

(2) That it is necessary to adopt a method of state level school support that provides equal education to all students regardless of where they may reside and that the courts of this nation and state will so require by forbidding continuation of property tax support of basic education;

(3) That the unpredictable future of comprehensive tax reform necessitates the adoption of interim measures provided in this 1973 amendatory act to comply with such present mandates of the taxpayers and the Constitution;

(4) That it is the purpose of this 1973 amendatory act to provide:

(a) An alternative tax program to provide for special levy property tax relief and for state level funding of basic education by the reallocation of certain state revenues through a program to be known as "financial equalization";

(b) An approximately balanced plan of property tax replacement which minimizes any shift between groups of taxpayers and substantially retains the existing balance of tax burden;

(5) That to avoid disruption and dislocation of existing school programs by the removal of traditional special levy authorization, it is necessary to authorize a limited special levy by school districts not to exceed in amount ten percent of the total budget of such district;

(6) That the financial plight of certain retired residents on limited incomes makes it necessary and desirable to exempt the sales to such persons of prescription drugs and medicines and food products from the state sales tax;

(7) That any school district having approved a special levy for collection in 1974, shall be authorized to collect only the amount by which the amount of total special levy as approved by the voters exceeds the total dollar increase reallocated to such district by the state pursuant to the provisions of this 1973 amendatory act.

NEW SECTION. Sec. 3. The legislature further finds and declares that for the purposes of providing additional state level school support for basic education pursuant to the provisions of this 1973 amendatory act, that:

(1) 'Financial equalization' shall mean the process of providing a specified amount of resources based upon staffing and nonsalary cost standards to each district, depending upon the number of students in noncategorical basic education programs and recognizing that staff characteristics and the size and location of schools may necessitate the application of alternative standards of financial support: PROVIDED, That the actual reallocation shall be distributed as specifically provided for in the distribution formula for support of basic education pursuant to the provisions of chapter ... (HB...), Laws of 1973.

(2) 'Basic education' shall mean those courses of study or learning experiences as determined by the legislature, the state board of education, and local school districts to be essential to comply with the constitutional mandate to provide for the education of all children residing within the state without distinction or preference.

NEW SECTION. Sec. 4. There is added to chapter 82.04 RCW a new section to read as follows:

From and after the first day of January following the effective date of this 1973 amendatory act, there is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed by this chapter, an additional tax in the amount of fourteen percent of the tax payable under this chapter. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the

basic rates of persons to which this section applies in such manner as to reflect the exact amount of the additional tax hereby imposed. The additional revenues collected pursuant to this section shall be deposited in the state general fund in an account to be known as the school financial equalization account.

NEW SECTION. Sec. 5. There is added to chapter 82.16 RCW a new section to read as follows:

From and after the first day of January following the effective date of this 1973 amendatory act, there is levied and shall be collected from every person for the act or privilege of engaging within this state in one or more of the businesses named in RCW 82.16.020, as a part of the tax imposed by this chapter, an additional tax in the amount of fourteen percent of the tax payable under this chapter. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the exact amount of the additional tax hereby imposed. The additional revenues collected pursuant to this section shall be deposited in the state general fund in an account to be known as the school financial equalization account.

NEW SECTION. Sec. 6. There is added to chapter 84.52 RCW a new section to read as follows:

(1) Whenever after January 1, 1974, a 'special' levy subject to the limitations imposed by RCW 84.52.050 through 84.52.056 is imposed by a school district for maintenance and operations purposes, the amount of any such levy payable in any tax year shall not exceed ten percent of the operating budget of such district for the last budget year completed prior to such tax year, such operating budget to be determined for purposes of this section by excluding therefrom the revenues derived from any tax levy.

(2) 'Special' means that unique and different addition to a school program that falls outside the meaning of 'basic education', as determined pursuant to section 3(2) of this 1973 amendatory act.

(3) Any school district having approved a special levy for collection in 1974, shall be authorized to collect only the amount by which the amount of total special levy as approved by the voters exceeds the total dollar increase reallocated to such district by the state pursuant to the provisions of this 1973 amendatory act.

Sec. 7. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 9, chapter 281, Laws of 1971 ex. sess. and RCW 82.08.020 are each amended to read as follows:

There is levied and there shall be collected a tax on each retail sale in this state equal to four and one-half percent of the selling price. The tax imposed under this chapter shall apply to successive retail sales of the same property: PROVIDED, That upon and after January 1, 1974, there is levied and there shall be collected an additional tax on each retail sale in the state equal to one and seven-tenths percent of the selling price which additional amount shall be deposited in the state general fund in an account to be known as the school financial equalization account.

Sec. 8. 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 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 persons or property for hire in interstate or foreign commerce whether such use is by the owner or whether such motor vehicles and trailers are leased to the user with or without drivers: PROVIDED, That the purchaser or user must be the holder of a carrier permit issued by the Interstate Commerce Commission and that the vehicles will first move upon the highways of this state from the point of delivery in this state to a point outside of this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100;

(13) Sales of motor vehicles and trailers to nonresidents of this state for use outside of this state, even though delivery be made within this state, but only when (a) the vehicles or trailers will be taken from the point of delivery in this state directly to a point outside this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100, or (b) said motor vehicles and trailers will be registered and licensed immediately under the laws of the state of the purchaser's residence, will not be used in this state more than three months, and will not be required to be registered and licensed under the laws of this state;

(14) Sales to nonresidents of this state for use outside of this state of tangible personal property which becomes a component part of any machinery or other article of personal property belonging to such nonresident, in the course of installing, repairing, cleaning, altering, or improving the same and also sales of or charges made for labor and services rendered in respect to any installing, repairing, cleaning, altering, or improving, of personal property of or for a nonresident, but this subsection (14) shall apply only when the seller agrees to, and does, deliver the property to the purchaser at a point outside this state, or delivers the property to a common or bona fide private carrier consigned to the purchaser at a point outside this state;

(15) Sales to nonresidents of this state for use outside of this state of watercraft requiring coast guard registration or registration by the state of principal use

according to the Federal Boating Act of 1958, even though delivery be made within this state, but only when (a) the watercraft will not be used within this state for more than forty-five days and (b) an appropriate exemption certificate supported by identification ascertaining residence as provided by the department of revenue and signed by the purchaser or his agent establishing the fact that the purchaser is a nonresident and that the watercraft is for use outside of this state, one copy to be filed with the department of revenue with the regular report and a duplicate to be retained by the dealer.

(16) Sales of poultry for use in the production for sale of poultry or poultry products.

(17) Sales to nonresidents of this state for use outside of this state of machinery and implements for use in conducting a farming activity, when such machinery and implements will be transported immediately outside the state. As proof of exemption, an affidavit or certification in such form as the department of revenue shall require shall be made for each such sale, to be retained as a business record of the seller.

(18) Sales for use in states, territories and possessions of the United States which are not contiguous to any other state, but only when, as a necessary incident to the contract of sale, the seller delivers the subject matter of the sale to the purchaser or his designated agent at the usual receiving terminal of the carrier selected to transport the goods, under such circumstances that it is reasonably certain that the goods will be transported directly to a destination in such noncontiguous states, territories and possessions.

(19) Sales to municipal corporations, the state, and all political subdivisions thereof of tangible personal property consumed and/or of labor and services rendered in respect to contracts for watershed protection and/or flood prevention. This exemption shall be limited to that portion of the selling price which is reimbursed by the United States government according to the provisions of the Watershed Protection and Flood Prevention Act, Public Laws 566, as amended;

(20) Sales of semen for use in the artificial insemination of livestock;

(21) Sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that he is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this subsection must display a nonresident permit as herein provided, and any vendor

making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of one dollar. The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his own, or a counterfeit permit, with intent to violate the provisions of this subsection shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

(22) Sales of form lumber to any person engaged in the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof.

(23) Sales of, cost of, or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel and rock when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to sales of, cost of, or charges made for such labor and services, if the sand, gravel, or rock is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(24) Sales of wearing apparel to persons who themselves use such wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(25) Sales of pollen.

(26) Sales to one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any

part of the territory of one political subdivision by another.

(27) The renting or leasing of motor vehicles and trailers to a nonresident of this state for use exclusively in transporting persons or property across the boundaries of this state and in intrastate operations incidental thereto when such motor vehicle or trailer is registered and licensed in a foreign state and for purposes of this exemption the term "nonresident" shall apply to a renter or lessee who has one or more places of business in this state as well as in one or more other states but the exemption for nonresidents shall apply only to those vehicles which are most frequently dispatched, garaged, serviced, maintained and operated from the renter's or lessee's place of business in another state.

(28) Sales of prescription drugs or medicines and the sales of food products for human consumption to retired persons sixty-two years of age or older, or to persons retired from regular gainful employment by reason of physical disability which persons and their spouses had combined income for the previous year, from all sources whatsoever, of six thousand dollars or less: PROVIDED, That persons eligible for tax exemption pursuant to this subsection shall apply for a refund of taxes paid at the end of each year. The refund shall be in an amount equal to the average sales tax paid upon sales of exempted items by persons eligible for such exemption or the actual sales tax paid by the claimant upon sales of exempted items as established by evidence of his or her purchases. The refund shall be claimed on a form prescribed by the department of revenue, shall be in accordance with rules, regulations and procedures prescribed by the department of revenue, and shall be filed at such time, place and in the manner prescribed by the department of revenue. The department of revenue is authorized and directed to prescribe forms, promulgate rules and regulations, set procedures and prescribe the time, place and manner for filing forms by claimants.

Sec. 9. 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 are each amended to read as follows:

There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using within this state as a consumer any article of tangible personal property purchased at retail, or acquired by lease, gift, repossession, or bailment, or extracted or produced or manufactured by the person so using the same. This tax will not apply with respect to the use of any article of tangible personal property purchased, extracted, produced or manufactured outside this state until the transportation of such article has finally ended or until such article has become commingled with the general mass of property in this state. This tax shall apply to the use of every article of tangible personal property, including property acquired at a casual or isolated sale, and including byproducts used by the manufacturer thereof, except as hereinafter provided, irrespective of whether the article or similar articles are manufactured or are available for purchase within this

state. Except as provided in subdivision (2) of RCW 82.12.030, payment by one purchaser or user of tangible personal property of the tax imposed by chapter 82.08 or 82.12 shall not have the effect of exempting any other purchaser or user of the same property from the taxes imposed by such chapters. The tax shall be levied and collected in an amount equal to the value of the article used by the taxpayer multiplied by the rate of four and one-half percent. PROVIDED, That upon and after January 1, 1974, there is levied and shall be collected from every person subject to the tax imposed by this section, an additional tax in an amount equal to the value of the article used by the taxpayer multiplied by the rate of one and seven-tenths percent which additional amount shall be deposited in the state general fund in an account to be known as the school financial equalization account."

Renumber the remaining section as section 10

#### POINT OF ORDER

Mr. Thompson: "Mr. Speaker, I challenge the scope and object of this amendment."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Your point is well taken, Mr. Thompson. We have a comprehensive measure here pertaining to tax reform. It goes far beyond the original scope and object of this bill pertaining to a problem with hospitals. The amendment is declared out of order."

Mr. Smythe: "Mr. Speaker, I don't know on what basis you ruled, although I respect your judgment. This deals with the sales tax and sales tax exemptions. I don't know how it could fit better. This is not an income tax or tax reform. It deals with no reform of taxes. It deals with increases and exemptions of sales taxes. You didn't read the bill, and I'm sure we don't want the Reader to read all of it."

The Speaker (Mr. O'Brien presiding): "What page is your tax rate on the sales tax?"

Mr. Smythe: "What page is the rate? You mean if it is too high, you won't rule for me? It goes up 1.7 to 6.7."

The Speaker (Mr. O'Brien presiding): "That is what I thought. I think maybe your intention is good, Mr. Smythe. Certainly you have an increase in the sales tax along with some exemptions and it maybe doesn't fall within the realm of tax reform as we know it, but it certainly is a tax revision type of measure with a tax increase, and it goes beyond the original purpose entirely of Engrossed Senate Bill No. 2841 which is a simple little bill trying to define retail sales relative to hospital laundry services. It widens the scope and object considerably from the original intention. Reed's Rule No. 160 states that any amendment of this nature which is not germane or relevant to the main proposition would not be in order."

Mr. Smythe: "Thank you for the research and consideration."

Mr. Van Dyk moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2841 as amended by the House be placed on final passage.

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

Representatives Thompson and Rabel spoke in favor of the motion by Mr. Van Dyk and Representative Smythe spoke against it.

#### PARLIAMENTARY INQUIRY

Mr. Hoggins: "Mr. Speaker, the title of the bill contains the references for the B & O tax. The language of the bill relates to retail sales tax. If we put this language into the B & O section of the chapter, will this also make other exemptions in the B & O section apply--not within the intent of the legislature or the intent of the sponsors or friends of the bill? I think we have a technical problem with the bill, where we have a title dealing with RCW 82.04.050, which is the B & O section of the Revised Code of Washington. But the language talks about the retail sales, which is in a different chapter. So the friends of the bill, I think, have got a problem."

The Speaker (Mr. O'Brien presiding): "Without going into it in further detail, it appears the purpose of the act is to put this type of sale under the B & O classification, and not under the retail sales. This is the whole issue, to have the sales classified not as retail sales as such, but this type of transaction would come under the business and occupation tax classification. That is the purpose of the act."

#### POINT OF INQUIRY

Mr. Moon requested that Representative Thompson yield to question.

The Speaker (Mr. O'Brien presiding): "We are on a suspension of the rules, and we have already permitted a discussion on the pros and cons of the argument."

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Bill No. 2841 as amended by the House, to third reading and final passage, and the motion was lost by the following vote: Yeas, 57; nays, 38; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Douthwaite, Ellis, Eng, Fortson, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Hoggins, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Luders, Martinis, Matthews,

Maxie, May, McCormick, North F., North L., O'Brien, Paris, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bender, Benitz, Berentson, Brown, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Gilleland, Haussler, Hayner, Hendricks, Hurley, Jueling, Julin, Kelley, Kuehnle, Laughlin, Leckenby, Lysen, Moon, Nelson, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Wilson.

Not voting: Representatives Morrison, Newhouse, Pardini.

The bill was passed to the Committee on Rules for third reading.

MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2306, and the President has appointed as members of the conference committee thereon: Senators Fleming, Murray and Talley.

Sidney R. Snyder, Secretary.

ENGROSSED 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.

Committee on Education recommendation: Majority, do pass as amended. (For amendment see Journal for thirty-fourth day, Ex. Sess., April 11, 1973.)

The bill was read the second time.

Mr. Bauer moved adoption of the committee amendment.

POINT OF ORDER

Mr. Clemente: "Mr. Speaker, I would like to raise the question of scope and object of the committee amendment."

The Speaker (Mr. O'Brien presiding): "Will you explain your position, Mr. Clemente?"

Mr. Clemente: "I was on the Education Committee, and this bill has been with us for quite some time. If you look in your digest, the title is 'principals-employee organizations-members.' This pertains to a small, very select group of school employees. Then the committee amendment expands that to this definition: 'Certified employee means any employee of a school district holding a valid teachers' certificate,' which I think is an expansion

far beyond the original intent of the bill."

RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Mr. Clemente, in connection with your point of order, it appears that this act pertains to certificated employees, which covers all classes of employees. Therefore, the House committee amendment goes into further parts of the bargaining and professional negotiations and the whole gamut of things. So it would appear that the amendment is in order. Your point of order is not well taken."

POINT OF ORDER

Mr. Bauer: "Mr. Speaker, I did not have an opportunity to speak on the committee amendment."

The Speaker (Mr. O'Brien presiding): "We have an amendment to your committee amendment. We want to take care of that first."

Mr. Randall moved adoption of the following amendment to the committee amendment:

On page 1, section 3, line 16 after "of" strike all material through line 18 and insert "labor and industries."

Mr. Randall spoke in favor of the amendment.

Mr. Bauer spoke against adoption of the amendment by Mr. Randall to the committee amendment.

POINT OF ORDER

Mr. Randall: "The amendment in front of us is to move this to Labor and Industries. He is discussing the entire body of the bill--the entire body of the amendment which we will address ourselves to as we move through it. I would feel that the comments should be related to the amendment in front of us, and that is whether or not we move this to Labor and Industries."

The Speaker (Mr. O'Brien presiding): "Mr. Bauer, will you hold your remarks as nearly as you can to the proposed amendment?"

Mr. Bauer concluded his remarks.

Mr. Hoggins spoke against adoption of the amendment to the amendment.

The amendment by Mr. Randall to the committee amendment was not adopted.

Mr. Randall moved adoption of the following amendment to the committee amendment:

On page 2, section 3, line 12 after "faith," strike "and to execute" and insert "with the objective of reaching"



Representatives Randall and Smythe spoke in favor of adoption of the amendment to the amendment, and Representative Brown spoke against it.

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

Mr. Bauer spoke against adoption of the amendment to the amendment, and Mr. Polk spoke in favor of it.

#### POINT OF ORDER

Mr. Ehlers: "Mr. Speaker, I don't believe Mr. Polk is speaking to the motion."

The Speaker (Mr. O'Brien presiding): "Your point of order is well taken. Mr. Polk, will you adhere your remarks to the amendment at hand?"

Mr. Polk: "Mr. Speaker, thank you. I was just about to confine myself."

Representatives Van Dyk, King and Warnke spoke in opposition to the amendment to the amendment, and Mr. Randall spoke again in favor of its adoption.

Mr. Ellis demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Randall to the committee amendment to Engrossed Senate Bill No. 2289, and the amendment to the amendment was lost by the following vote: Yeas, 31; nays, 61; not voting, 6.

Voting yea: Representatives Amen, Benitz, Berentson, Curtis, Flanagan, Freeman, Garrett, Hansey, Hayner, Hendricks, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Lysen, May, Morrison, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Randall, Schumaker, Smythe, Swayze, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Matthews, McCormick, Moon, Nelson, North F., O'Brien, Paris, Perry, Savage, Shinpoch, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman.

Not voting: Representatives Blair, Maxie, Parker, Rabel, Smith, and Mr. Speaker.

#### AMENDMENTS WITHDRAWN

Mr. Randall: "Thank you, Mr. Speaker. Sensing the direction of the House at this point, and the attention to

these amendments, I will, with the permission of the House, withdraw the balance of these amendments."

With the consent of the House, Mr. Randall withdrew his amendments to the committee amendment.

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 2, section 4, line 24 of the committee amendment insert a period after "choosing" and strike the remainder of the section down to and including "coercion." on line 26

Mr. Tilly spoke in favor of the amendment to the amendment, and Representatives Warnke, Perry and Hoggins spoke against it.

The amendment to the amendment was not adopted.

Mrs. Hayner moved adoption of the following amendment by Representatives Hayner and Tilly to the committee amendment:

On page 2, section 4, line 26 of the committee amendment after "coercion" insert ": PROVIDED, That a strike or other withholding of contractually required services shall not constitute such a lawful concerted activity"

Representatives Hayner and Tilly spoke in favor of adoption of the amendment to the committee amendment, and Representatives Van Dyk, Savage and Brown spoke against it.

Mr. Ellis demanded the previous question and the demand was sustained.

Mrs. Hayner requested permission to close debate on the amendment to the amendment.

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Mrs. Hayner, at this stage of the proceedings, our rules do not provide for you to close the debate."

The amendment by Representatives Hayner and Tilly to the committee amendment to Engrossed Senate Bill No. 2289 was not adopted.

Mr. Berentson moved adoption of the following amendment to the committee amendment:

On page 4, beginning on line 13 of the committee amendment, being section 8 of the bill, after "representative:" strike everything down to and including "employer:" on line 17

Mr. Berentson spoke in favor of the amendment to the amendment, and Mr. Bauer spoke against it.

The amendment by Mr. Berentson to the committee amendment was not adopted.

Mr. Warnke moved adoption of the following amendments to the committee amendment:

On page 5, add a new section following section 11 as follows:

**"NEW SECTION.** Sec. 12. After certification of an exclusive bargaining representative and upon said representative's request, and notwithstanding the provisions of section 6 (2) of this 1973 amendatory act the department shall hold an election among all certificated employees represented by the exclusive bargaining representative to determine whether they shall be required to share the expenses that are incurred in representing the certificated employees within the district. If a majority of those voting in the election provided for in this section determine that such expenses shall be shared, a monthly fee for such expenses shall be established by the exclusive bargaining representative: PROVIDED, That in no event shall such fee be in excess of the total of the local, state and national dues charged members of the employee organization or be, for employees paying such dues, in addition thereto: PROVIDED FURTHER, That in order to safeguard the right of nonassociation of certificated employees, based on bona fide religious tenets or teachings of a church or religious body of which such certificated employee is a member, such certificated employee shall pay to the exclusive bargaining representative, for purposes within the program of the employee organization as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular employee organization dues minus any included monthly premiums for insurance programs, and such employee shall not be a member of the employee organization but shall be entitled to all the bargaining rights afforded a member of the exclusive bargaining organization. Such fee shall be deducted monthly from the pay of all appropriate certificated employees by the employer and transmitted as provided for by agreement between the employer and the exclusive bargaining representative. No more often than once in each twelve-month period after the expiration of twelve months following the date of the original election conducted pursuant to this section and upon petition of thirty percent of the certificated employees represented by an exclusive bargaining representative, the department shall hold an election to determine whether a majority wish to rescind the imposition of fees upon those who are not members of the employee organization."

Renumber the remaining sections consecutively.

On page 1, section 2, line 5 of the amendment, after "through" and before "of" strike "12" and insert "13"

On page 1, section 3, line 12 of the amendment, after "through" and before "of" strike "12" and insert "13"

On page 2, section 3, line 9 of the amendment, after "through" and before "of" strike "12" and insert "13"

On page 2, section 5, line 27 of the amendment after "through" and before "of" strike "12" and insert "13"

On page 5, section 10, line 4 of the amendment, after "through" and before "of" strike "12" and insert "13"

On page 5, section 10, line 12 of the amendment, after "through" and before "of" strike "12" and insert "13"

On page 5, section 12, now renumbered as section 13,

line 20 of the amendment, after "through" and before "of" strike "12" and insert "13"

On page 5, section 12, now renumbered as section 13, line 29 of the amendment, after "through" and before "of" strike "12" and insert "13"

On page 6, section 12, now renumbered as section 13, line 2 of the amendment, after "through" and before "of" strike "12" and insert "13"

On page 6, section 14 now renumbered as section 15, line 13 of the amendment, after "through" and before "of" strike "12" and insert "13"

On page 6, section 15 now renumbered as section 16, line 23 of the amendment, after "through" and before "of" strike "12" and insert "13"

Mr. Warnke spoke in favor of the amendments, and Representatives Van Dyk and Polk spoke against them.

The amendments by Mr. Warnke to the committee amendment were not adopted.

Mr. Pardini demanded the previous question and the demand was sustained.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment to Engrossed Senate Bill No. 2289.

Mr. Bauer spoke in favor of the amendment, and Mr. Tilly spoke against it.

The committee amendment was adopted on a rising vote.

On motion of Mr. Bauer, the committee amendment to the title was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2289 as amended by the House was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Polk.

Mr. Polk: "Representative Bauer, we have heard many speakers say on the floor today that this bill as written does not include the right for teachers to strike, and yet we voted down several amendments to clarify that issue. Is it still your intent, and what you believe the intent of the act to be, that this does not provide the right to strike to state teachers?"

Mr. Bauer: "It is my understanding that this does not provide the right for teachers to strike."

Representatives Smythe and Randall discussed the bill.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2289 as amended by the House, and the bill passed the House by the following vote: Yeas, 76; nays, 15; not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Bagnariol, Barden, Charnley, Clemente, Cunningham, Garrett, Gilleland, Hayner, Hendricks, Leckenby, May, Pullen, Schumaker, Tilly, Wilson.

Not voting: Representatives Chatalas, Julin, Newhouse, North L., Rabel, Swayze, and Mr. Speaker.

Engrossed Senate Bill No. 2289 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, all bills passed since the last motion to transmit were ordered transmitted immediately to the Senate.

SENATE BILL NO. 2522, by Senators Henry, Woodall and Jolly (by Department of Highways request):

Amending provisions regarding state highway routes.

The House resumed consideration of the bill.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "We have an amendment that was offered by Mr. Gilleland and adopted by the House, and subsequently it was stricken by another amendment. We would like, on the basis of that inadvertent action, the permission of the House to again offer Mr. Gilleland's amendment as a separate amendment to Senate Bill No. 2522. If there are no objections, we will erase the prior action relative to adoption of the floor

amendment and now accept the floor amendment by Mr. Gilleland. If there are no objections, it is so ordered."

On motion of Mr. Gilleland, the following amendment was adopted:

On page 11, following section 12, beginning on line 24 insert a new section as follows:

"NEW SECTION. Sec. 13. 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."

ReNUMBER the remaining section consecutively.

Mr. Swayze moved adoption of the following amendment by Representatives Swayze, Gallagher, Wojahn, Adams, Erickson, Ehlers, Parker, Juelling, Kelley, Gaspard and Beck:

On page 11, following section 12 beginning on line 24 insert a new section as follows:

"NEW SECTION. Sec. 13. 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."

ReNUMBER the remaining section.

Representatives Swayze and Perry spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Conner, the following amendments to the title were adopted:

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 motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2522 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2522 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Rabel.

Not voting: Representatives Newhouse, North L., Smythe, and Mr. Speaker.

Senate Bill No. 2522 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 53 and asks the House for a conference thereon, and the President has appointed as members of said Conference Committee: Senators Odegaard, Matson and Donohue.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Conner, the House granted the request of the Senate for a conference on Substitute House Bill No. 53.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) announced the appointment of Representatives King, Van Dyk and Flanagan as members of the Conference Committee on Substitute House Bill No. 53.

## MESSAGE FROM SENATE

April 14, 1973

Mr. Speaker:

The Senate has receded from its amendment to ENGROSSED HOUSE BILL NO. 766 on page 1, line 3 of the title and has passed the bill without said amendment, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The House having previously concurred in the other Senate amendments, the Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 766 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 766 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives North L. and Swayze.

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.

## SENATE AMENDMENTS TO HOUSE BILL

April 14, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 305 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 18, section 25, line 24 strike all of new section 25

On page 18, section 26, line 33 strike all of new section 26

Renumber the remaining sections consecutively

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"

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."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Parker moved that the House concur in the Senate amendments to Engrossed House Bill No. 305.

Representatives Parker and Pardini spoke in favor of the motion and the motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 305 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 305 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yeai: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Swayze.

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

SENATE AMENDMENT TO HOUSE BILL

April 14, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 161 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, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Williams moved that the House concur in the Senate amendment to Engrossed House Bill No. 161.

Mr. Williams spoke in favor of the motion, and Mr. Bluechel spoke against it.

The motion by Mr. Williams was carried on a rising vote.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 161 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 161 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Swayze.

Engrossed House Bill No. 161 as amended by the Senate, having received the constitutional majority, was

declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF CONFERENCE COMMITTEE

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 Mr. Shinpoch, the report of the Conference Committee on Engrossed Senate Bill No. 2803 was adopted and the committee was granted the powers of Free Conference.

SENATE AMENDMENT TO HOUSE BILL

April 14, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 363 with the following amendment:

On page 1, section 1, line 23 strike "fifteen" and insert "twenty"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Smythe moved that the House concur in the Senate amendment to House Bill No. 363.

Representatives Smythe and Parker spoke in favor of the motion and the motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 363 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 363 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan,

Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Bausch.

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.

#### MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate has concurred in the amendments to ENGROSSED SENATE BILL NO. 2361 on page 6, section 7, lines 9 and 10; and page 6, section 9, line 32 of the engrossed and printed bills, but does not concur in the House amendments to page 1, line 8 of the title; page 2, section 1, line 16; and page 7 of the engrossed and printed bills, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. King, the House receded from its amendments to page 1, page 2, and page 7 of Engrossed Senate Bill No. 2361.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2361 without the House amendments to pages 1, 2 and 7.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2361 without the House amendments to pages 1, 2 and 7, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury,

King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bausch, Brown, Goltz, Hurley, Parker.

Engrossed Senate Bill No. 2361 without the House amendments to pages 1, 2 and 7, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

April 14, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 323 with the following amendments:

On page 3, section 2, line 5 after "classified in" strike "Schedules 1 or 11" and insert "Schedule I, RCW 69.50.204"

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"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Kelley moved that the House concur in the Senate amendments to Engrossed Substitute House Bill No. 323.

Representatives Kelley, Eikenberry and Fortson spoke in favor of the motion.

The motion was carried.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 323 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 323 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; nays, 14; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler,

Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Polk, Pullen, Randall, Savage, Schumaker, Smythe, Sommers, Thompson, Tilly, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Charnley, Douthwaite, Eng, Erickson, Goltz, King, Maxie, Moon, Shinpoch, Smith, Valle, Van Dyk, Williams.

Not voting: Representatives Lysen, Parker, Perry, Rabel, Swayze.

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.

#### MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate 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, and said bill, together with the report of the Conference Committee, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### REPORT OF CONFERENCE COMMITTEE

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."

Re-number the remaining section.

and the remaining Senate amendments be adopted.

Signed by Senators Woody, Jones and Greive;  
Representatives Valle and Wojahn.

## MOTION

On motion of Mrs. Wojahn, the report of the Conference Committee on Engrossed Substitute House Bill No. 993 was adopted.

FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED  
BY CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 993 as recommended by the Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 993 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Benitz, Rabel.

Engrossed Substitute House Bill No. 993 as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

April 14, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 435 with the following amendments:

On page 1, line 11 of the title after "41.40.120;" strike everything through "RCW 41.40.130;" on line 13

On page 1, line 24 of the title after "41.40.195;" strike everything through "41.40.230;" on line 26

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;"

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"

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 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"

Beginning on page 13, line 25 strike section 6

Renumber the remaining sections consecutively

On page 14, section 7, line 27 after "contributions" and before the comma, insert "with interest as computed by the retirement board"

On page 15, section 7, line 3 after "contributions" and before the period insert ": AND PROVIDED FURTHER, That any member who reentered service within the ten-year period formerly provided by this section, and who failed to restore withdrawn contributions within the three or five years previously allowed, shall now have two years from the effective date of this 1973 amendatory act to restore said contributions, with interest as determined by the retirement board"

On page 15, beginning on line 5 strike the underscored material on lines 5 through 7

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, beginning on line 3 strike sections 15 and 16 and renumber the remaining sections consecutively

On page 29, add a new section following section 14 and renumber the remaining sections consecutively:

"Sec. 15. 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 subsections (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 ((41-06-450)) 41.04.005, as now or hereafter amended: AND PROVIDED FURTHER, That in no instance, described in subsections (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 ((USE 3944 or 3944; as now or hereafter amended)) United States Code."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Morrison moved that the House concur in the Senate amendments to Engrossed Substitute House Bill No. 435.

Representatives Morrison, Bagnariol and Bausch spoke in favor of the motion, and Representative Pardini spoke against it.

The motion was carried.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 435 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 435 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury,

King, Knowles, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wjahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Flanagan, Hayner, Kopet, Pardini.

Not voting: Representatives Patterson, Smythe.

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.

#### SENATE AMENDMENTS TO HOUSE BILL

April 14, 1973

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 903 with the following amendments:

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."

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" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. King moved that the House do not concur in the Senate amendments to Substitute House Bill No. 903 and that the Senate be asked to recede therefrom.

Representatives King and Brown spoke in favor of the motion.

The motion was carried.

#### MOTION

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

#### THIRD READING

SENATE BILL NO. 2309, by Senators Day, Guess, Lewis (Bob), Keefe, Twig and Donohue:

Authorizing Expo '74 bonds.

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

Mr. May spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2309, and the bill passed the House by the following vote: Yeas, 77; nays, 18; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Chatalas, Clemente, Conner, Cunningham, Curtis, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smythe, Sommers, Swayze, Tilly, Valle, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Charette, Charnley, Douthwaite, Ehlers, Juelling, Laughlin, Lysen, North L., Perry, Shinpoch, Smith, Thompson, Van Dyk, Warnke, Williams, Zimmerman.

Not voting: Representatives Bausch, Hoggins, Paris.

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.

The Speaker assumed the Chair.

SUBSTITUTE SENATE BILL NO. 2717, by Committee on Judiciary (Originally sponsored by Senators Durkan, Peterson [Ted], Sandison and Walgren):

Creating an organized crime intelligence unit.

The House resumed consideration of the bill on third reading.

#### POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Williams, you mentioned yesterday when we were discussing this, I think, about a proposed study in this area. I wonder if you could tell me: First, is there a study being planned, and what will it cover?"

Mr. Williams: "Thank you, Representative Charnley. If Substitute Senate Bill No. 2717 does pass--well, I should say, the language for the resolution which has been prepared for the House and the Senate and filed with the Chief Clerk and the Secretary of the Senate, states that the House State Government Committee, and, correspondingly, the Senate Judiciary Committee will in the interim study that particular bill with some of the thoughts in mind that there may be necessary changes, or further looking at the bill itself, during the interim."

Mr. Charnley: "If I could just ask you one further thing, Representative Williams: You said 'if the bill passes.' If the bill does not pass, there will not be this study conducted?"

Mr. Williams: "The language of the resolution states 'having passed.' However, that wouldn't preclude committees from working on that."

Mr. Charnley spoke against passage of the bill.

#### POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Barden.

Mr. Barden: "Representative Williams, is it not true that if this bill fails to pass the federal funds will not be available to conduct the study?"

Mr. Williams: "The information that I have received from the State Patrol is that that would be correct."

Representatives Barden, Eikenberry, Charette and Kopet spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2717, and the bill passed the House by the following vote: Yeas, 85; nays, 8; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Eikenberry, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Warnke, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Douthwaite, Goltz, Maxie, Moon, Tilly, Van Dyk, Williams.

Not voting: Representatives Ehlers, Erickson, North L., Perry, Wilson.

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.

#### MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate insists on its position and once again asks the House to concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 711, and said bill, together with the Senate amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Kuehnle moved that the House refuse to concur with the Senate amendments to Engrossed Substitute House Bill No. 711, and that the Senate be asked to recede therefrom.

The motion was carried.

#### MOTION FOR RECONSIDERATION

Mr. Barden, having given notice on the preceding day, moved that the House do now reconsider the vote by which SUBSTITUTE SENATE BILL NO. 2897 failed to pass the House.

Mr. Lysen demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Shinpoch.

Mr. Barden moved that the absent member be excused and that the House proceed with business under the Call of the House.

The motion was carried on a rising vote.

The Speaker stated the question before the House to be the motion by Mr. Barden that the House reconsider the vote by which Substitute Senate Bill No. 2897 failed to pass the House.

Mr. Barden spoke in favor of the motion.

RULING BY THE SPEAKER

The Speaker: "Mr. Barden, I think we are talking about the merits of the bill, rather than the action taken in the other House."

Mr. Barden continued his remarks.

The Speaker: "Representative Barden, please--we are talking about the merits of the bill, not the action carried on in the Senate."

Mr. Barden concluded his remarks in favor of the motion, and Mr. Savage spoke against the motion.

POINT OF ORDER

Mr. Pardini: "This bill in no way affects the twelve percent interest on consumer contracts. Mr. Savage is way above and beyond the merits of this particular bill."

The Speaker: "I think that would be a subject of debate that you could correct him on, Representative Pardini. You may proceed, Representative Savage."

Mr. Savage concluded his remarks in opposition to the motion.

Mr. Luders demanded the previous question.

Mr. Shinpoch appeared at the bar of the House.

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

## ROLL CALL

The Clerk called the roll on the motion by Mr. Barden that the House do now reconsider the vote by which Substitute Senate Bill No. 2897 failed to pass the House, and the motion was carried by the following vote: Yeas, 57; nays, 41; not voting, 0.

Voting yea: Representatives Amen, Bagnariol, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Cunningham, Curtis, Eikenberry, Eng, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gilleland, Hansen, Hansey, Hayner, Hoggins, Hurley, Jastad, Jueling, Julin, Kalich, Kopet, Kraabel, Kuehnle, Leckenby, Martinis, Matthews, Maxie, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Anderson, Bauer, Bausch, Beck, Bender, Charnley, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gaspard, Goltz, Haussler, Hendricks, Johnson, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, May, Moon, North F., Paris, Rabel, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

## RECONSIDERATION

The Speaker stated the question before the House to be the final passage of Substitute Senate Bill No. 2897.

Mr. Barden demanded an oral roll call, and the demand was sustained.

Representatives Douthwaite, Lysen, Charnley, Bender, Laughlin, Clemente and Savage spoke against passage of the bill.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2897, and the bill passed the House by the following vote: Yeas, 51; nays, 47; not voting, 0.

Voting yea: Representatives Amen, Bagnariol, Barden, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Chatalas, Cunningham, Curtis, Eikenberry, Eng, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gilleland, Hansen, Hansey, Hayner, Hoggins, Hurley, Jastad, Julin, Kopet, Kuehnle, Leckenby, Matthews, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Anderson, Bauer, Bausch, Beck, Bender, Brown, Charnley, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gaspard, Goltz, Haussler, Hendricks, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin,



Luders, Lysen, Martinis, Maxie, May, Moon, North F., Paris, Rabel, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

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.

MOTIONS

On motion of Mr. Barden, Substitute Senate Bill No. 2897 was ordered transmitted immediately to the Senate.

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House recessed until 8:15 p.m.

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EVENING SESSION  
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THE House was called to order at 8:15 p.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representative Blair who was excused.

Mr. O'Brien assumed the Chair.

MESSAGES FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2452, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 14, 1973

Mr. Speaker:

The Senate has passed:  
HOUSE BILL NO. 648,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The President 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.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate 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.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2803, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Thompson moved that the House revert to the fourth order of business.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 53, by Representatives Bagnariol, Shinpoch and Kopet:

Suspends the twenty-four hour requirement for Free Conference reports for Engrossed Senate Bill No. 2803.

On motion of Mr. Thompson, the rules were suspended, House Concurrent Resolution No. 53 was advanced to second reading and read the second time in full.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 53 was placed on final passage.

Mr. Thompson spoke in favor of the resolution, and the resolution was adopted.

#### 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:

Strike the amendment to the committee amendment to page 6, section 2 by Representatives Randall and Hoggins.

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 Mr. Kopet, the House adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 2803.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2803 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk 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 House by the following vote: Yeas, 62; nays, 33; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Beck, Benitz, Berentson, Bluechel, Brown, Charnley, Cunningham, Curtis,

Flanagan, Garrett, Hansey, Hoggins, Juelling, Julin, Kopet, Kuehnle, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Polk, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson.

Not voting: Representatives Amen, Blair, Patterson.

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.

#### 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 Haussler and Kalich.

#### MOTIONS

On motion of Mr. Haussler, the report of the Conference Committee on Engrossed Senate Bill No. 2306 was adopted and the committee was granted the powers of Free Conference.

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

#### THIRD READING

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

Providing for the determination of comparative negligence.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the reconsideration of final passage of Engrossed Senate Bill No. 2045. (The bill passed the House on April 12, and the motion to reconsider was carried on April 13.)

## MOTION

Mr. Eikenberry moved that the rules be suspended and Engrossed Senate Bill No. 2045 be returned to second reading for the purpose of amendment.

Mr. Eikenberry spoke in favor of the motion.

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "I don't think the motion is that broad that it will enable you to go into the merits of the bill. I think you have to hold your remarks to the reasons why you are suspending the rules to move it back for the purpose of amendments."

Mr. Eikenberry: "Mr. Speaker, if I may, the purpose of going back to second reading is to amend the bill, and I would like to explain the amendment that will be offered in order that the body may then vote with knowledge as to why we are going back."

The Speaker (Mr. O'Brien presiding): "I suppose you can state something briefly, but the primary purpose of suspending the rules is to put the bill back on second reading for the purpose of amendments, so it doesn't give you complete latitude to discuss the bill in all of its particulars. Go ahead."

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

Mr. Thompson demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Blair, Randall and Smythe.

On motion of Mr. Thompson, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Eikenberry that the rules be suspended and Engrossed Senate Bill No. 2045 be returned to second reading for the purpose of amendment.

Mr. Kelley spoke against the motion.

## POINT OF ORDER

Mr. Eikenberry: "Mr. Speaker, when I attempted to debate the merits of the bill and the merits of the proposed amendment, I was cut short. I am just wondering

how long my opponent is going to be able to debate the point."

The Speaker (Mr. O'Brien presiding): "Mr. Eikenberry, I believe your point is well taken. House Rule No. 48 states as follows: 'A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of his motion, and one opponent to the motion may briefly explain his position'."

Mr. Kelley concluded his remarks in opposition to the motion.

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

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Eikenberry to suspend the rules and return Engrossed Senate Bill No. 2045 to second reading for the purpose of amendment, and the motion was lost by the following vote: Yeas, 49; nays, 46; not voting, 3.

Voting yea: Representatives Amen, Bagnariol, Barden, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Conner, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Jueling, Julin, Kalich, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Martinis, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Sommers, Swayze, Tilly, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bauer, Bausch, Beck, Bender, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kelley, Kilbury, King, Knowles, Laughlin, Lysen, Maxie, May, McCormick, Moon, North F., O'Brien, Perry, Savage, Shinoch, Smith, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Blair, Randall, Smythe.

#### MOTION

Mr. Eikenberry moved that Engrossed Senate Bill No. 2045 be rereferred to the Committee on Rules.

Mr. Eikenberry spoke in favor of the motion, and Mr. Smith spoke against it.

#### POINT OF INQUIRY

Mr. Pardini: "Would Mr. Smith yield to question, Mr. Speaker?"

Mr. Smith refused to yield to question.

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "I wanted to refer the House members, or those who are involved with the debate, to Reed's Rule 120. We have let the debate go a little farther afield than actually the rules provide. You are not supposed to go into the merits of the main question on this motion to commit."

## POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Eikenberry, Mr. Smith said that the case you gave in your argument was very unlikely, but something like that could happen. I am not an attorney. Mr. Smith used the word 'unlikely.' I am not concerned about unlikely. I am concerned if it is 'possible' that it could happen in a jury trial."

Mr. Eikenberry: "It is not only possible, it has happened. I would elaborate on that by pointing out that this is possible in only two states that have this Mississippi full-blown approach. The rest of the states using comparative negligence have the more limited Wisconsin approach."

Mr. Kelley spoke against the motion by Mr. Eikenberry, and Mr. Eikenberry spoke again in favor of it.

Mr. Smythe appeared at the bar of the House.

The motion by Mr. Eikenberry to rerefer Engrossed Senate Bill No. 2045 to the Committee on Rules was lost on a rising vote.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2045.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2045, and the bill passed the House by the following vote: Yeas, 68; nays, 29; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bauer, Bausch, Beck, Bender, Berentson, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barden, Benitz, Bluechel, Brown, Ceccarelli, Charette, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett,

Gilleland, Hayner, Jueling, Julin, Kuehnle, Leckenby, Matthews, Morrison, Newhouse, Pardini, Polk, Schumaker, Tilly, Warnke, Zimmerman.

Not voting: Representative Blair.

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.

#### MOTION

On motion of Mr. Kelley, Engrossed Senate Bill No. 2045 was ordered transmitted immediately to the Senate.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker signed:

SUBSTITUTE HOUSE BILL NO.	410,
HOUSE BILL NO.	476,
HOUSE BILL NO.	604,
HOUSE BILL NO.	638,
HOUSE BILL NO.	704,
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 SENATE

April 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2361, except those amendments to page 1, line 8 of the title; page 2, line 16; and page 7, following section 9, from which the House receded, and has passed the bill with the House amendments fo page 6, lines 9 and 10, and page 6, line 32.

Sidney R. Snyder, Secretary.

#### MOTION

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

#### SECOND READING

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.



## MOTION

On motion of Mr. Thompson, the House deferred consideration of Engrossed Senate Joint Resolution No. 103, and the resolution was placed at the bottom of today's second reading calendar.

## MOTION

Mr. Charette moved that the House immediately consider ENGROSSED SUBSTITUTE SENATE BILL NO. 2748.

The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL No. 2748, by Committee on Transportation and Utilities (Originally sponsored by Senator Walgren):

Authorizing transportation studies.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments see Journal for thirty-sixth day, April 13, 1973.)

The bill was read the second time.

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

On motion of Mr. Kraabel, the following amendment by Representatives Kraabel and Charnley was adopted:

On page 4, section 1, line 20 of both the printed and engrossed bills, after "recreation;" insert "and a reevaluation of the criteria for selection of specific projects for priority of construction within each functional class;"

Mrs. Hurley moved adoption of the following amendment:

On page 4, following line 23 insert:

"(31) A study in coordination with the state highway commission of the alternative corridors feasible for the series of highway projects known as the 'North-South Freeway' in the city of Spokane.

Such study to culminate in a recommendation for the most feasible alternative corridor together with an evaluation of the potential social impaction of the corridor alternatives and cost-benefit analysis appropriate to such a determination."

Mrs. Hurley spoke in favor of the amendment, and Mr. Perry spoke against it.

The amendment by Mrs. Hurley was not adopted.

Mr. Hansey moved adoption of the following amendment:

On page 2, section 1, line 13 after "of" strike all material down to and including "protection" on line 14 and

insert "the feasibility of establishing a revolving fund for the railroad grade crossing protection fund"

Mr. Hansey spoke in favor of the amendment, and Mr. Perry spoke against it.

Mr. Hansey spoke again in favor of the amendment.

The amendment by Mr. Hansey was not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2748 as amended by the House, was placed on final passage.

Mr. Perry spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2748 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Randall.

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.

#### MOTION

On motion of Mr. Charnley, Engrossed Substitute Senate Bill No. 2748 was ordered transmitted immediately to the Senate.

#### MOTION

Mr. Charette moved that the Committee on Rules be relieved of ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 105 as amended by the House, and that it be placed on today's third reading calendar.

The motion was carried.

Representative Blair appeared at the bar of the House.

## MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 2800, except the proviso on page 2, lines 9 through 12, which reads: "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 that the House recede therefrom, and said bill, together with the House amendment, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Shinpoch moved that the House recede from the proviso on page 2, lines 9 through 12, Engrossed Substitute Senate Bill No. 2800.

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

Mr. Shinpoch spoke in favor of the motion, and Mr. Schumaker spoke against it.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Shinpoch that the House recede from the proviso to page 2, lines 9 through 12, Engrossed Substitute Senate Bill No. 2800, and the motion was carried by the following vote: Yeas, 51; nays, 46; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gaspard, Goltz, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gallagher, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representative Randall.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Senate

Bill No. 2800 without the House amendment to page 2, lines 9 through 12.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2800 without the House amendment to page 2, lines 9 through 12, and the bill passed the House by the following vote: Yeas, 55; nays, 42; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hendricks, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Pullen, Savage, Shinpoch, Smith, Snythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Beck, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hoggins, Hurley, Juelling, Julin, Kelley, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Rabel, Schumaker, Swayze, Tilly, Zimmerman.

Not voting: Representative Randall.

Engrossed Substitute Senate Bill No. 2800 without the House amendment to page 2, lines 9 through 12, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate has concurred in all 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, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Shinpoch moved that the House recede from its amendment to page 8, lines 31 and 33, Substitute Senate Bill No. 2854, and that it refuse to recede from its amendments to page 25, line 13; page 37, line 6 and page 37, line 16.

Mr. Van Dyk demanded an electric roll call, and the demand was sustained.

Mr. Shinpoch spoke in favor of the motion.

## MOTION

Mrs. Johnson moved that the question be divided and that the House either concur in, or recede from each of the amendments separately.

Mrs. Johnson spoke in favor of the motion and Mr. Shinpoch spoke against it.

The motion by Mrs. Johnson to divide the question was lost.

Mr. Shinpoch spoke again in favor of his motion.

Mrs. Johnson spoke in opposition to the motion, and Mr. Pardini spoke in favor of it.

Mr. Randall appeared at the bar of the House.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Shinpoch that the House recede from its amendment to page 8, lines 32 and 33, and that it refuse to recede from its amendments to page 25, line 13; page 37, line 6; and page 37, line 16, and the motion was carried by the following vote: Yeas, 81; nays, 17; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Jastad, Juelling, Julin, Kalich, Kelley, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Martinis, Matthews, McCormick, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Berentson, Brown, Curtis, Ellis, Hansey, Hurley, Johnson, Kilbury, King, Lysen, Maxie, May, Moon, Newhouse, Tilly, Valle.

## MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 53, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## MOTION

Mr. King moved that the rules be suspended, and that ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 105 be returned to second reading for the purpose of amendment.

Representatives King and Pardini spoke in favor of the motion, and the motion was carried.

SECOND READING

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 sessions.

Mr. Brown moved adoption of the following amendment by Representatives Brown and King:

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.; 1894; 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."

Representatives Brown and King spoke in favor of the amendment and Representative Kuehnle spoke against it.

Mr. Pullen moved adoption of the following amendment to the amendment by Representatives Brown and King:

On page 1, line 19 strike all of (2) and renumber the remaining subsections consecutively

Mr. Pullen spoke in favor of the amendment to the amendment, and Mr. Leckenby spoke against it.

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

Representatives Brown and North (Frances) spoke against the amendment to the amendment.

#### POINT OF INQUIRY

Mr. King yielded to question by Mr. Julin.

Mr. Julin: "Representative King, the section we are dealing with says that 'The Legislature may provide for interim regular sessions.' How does it provide for interim regular sessions? How are they convened? You have a specific procedure in the balance of the resolution to provide for a call by a two-thirds of the majority of both Houses, but in this section there is no provision whatsoever for this term interim regular session and how it will be called."

Mr. King: "I'm not positive. I presume they can be called in the same way we set up the interim committees--that is, by concurrent resolution of both Houses of the Legislature. Could I ask if that is Representative Brown's interpretation of this also?"

Mr. Brown: "There hasn't been a specific procedure set up, that is true, Mr. Julin. It seems to me that what

we are talking about here is a schedule which would be set up by resolution just as we have done in the past in scheduling future activities. However, I think what this is intended to do is leave up to this body the details of working that out and determining precisely how to do it."

Representatives Barden and Julin spoke in favor of the amendment by Mr. Pullen to the amendment by Representatives Brown and King to Engrossed Substitute Senate Joint Resolution No. 105, and Representatives Kilbury and King spoke against it.

Mr. Barden demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the amendment by Mr. Pullen to the amendment by Representatives Brown and King to Engrossed Substitute Senate Joint Resolution No. 105, and the amendment to the amendment was lost by the following vote: Yeas, 34; nays, 64; not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Jueling, Julin, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representatives Brown and King.

The amendment was adopted.

#### MOTION

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Joint Resolution No. 105 as amended by the House was placed on final passage.

Mr. Pullen spoke against the resolution.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Joint Resolution as amended by the House, and the resolution passed the House by the following vote: Yeas, 72; nays, 26; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Cunningham, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Jueling, Julin, Kopet, Kuehnle, Nelson, Paris, Patterson, Polk, Pullen, Schumaker, Smythe, Tilly, Zimmerman.

Engrossed Substitute Senate Joint Resolution as amended by the House, having received the constitutional majority, was declared passed.

## MOTIONS

On motion of Mr. King, Engrossed Substitute Senate Joint Resolution No. 105 as amended by the House was ordered transmitted immediately to the Senate.

Mr. Charette moved that the Committee on Constitution and Elections be relieved of ENGROSSED SENATE BILL NO. 2366 and it be placed on the second reading calendar for immediate consideration.

The motion was carried.

ENGROSSED SENATE BILL NO. 2366, by Senator Grant:

Relating to legislative redistricting.

The bill was read the second time.

Mr. King moved adoption of the following amendments:  
On page 6, line 20 on the same line and after "CCD Bremerton" insert "(part: ED 36-64 and 66-73)"

On page 7, line 1 on a line between "CCD 16" and "CCD Port Orchard" insert "CCD Bremerton (part: ED 65 and 74)"

## POINT OF ORDER

Mr. Tilly: "Mr. Speaker, I don't think copies of this bill are in our billbooks, and I don't think we should be considering it until we have this information."

## MOTION

On motion of Mr. King, the House deferred further consideration of Engrossed Senate Bill No. 2366 on second reading, and the bill was placed at the bottom of the second reading calendar.

## MOTION

Mr. Thompson moved that the Committee on Rules be relieved of SUBSTITUTE SENATE BILL NO. 2739, and that it be placed on the second reading calendar for immediate consideration.

SUBSTITUTE SENATE BILL NO. 2739, by Committee on Higher Education (Originally sponsored by Senators Donohue, Lewis [Harry] and Sandison):

Clarifying college and university fee structure for bonding purposes.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2739 was placed on final passage.

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

## POINT OF INQUIRY

Mr. Kraabel yielded to question by Mr. Rabel.

Mr. Rabel: "Section 2 of Substitute Senate Bill No. 2739 states that 'Student activity fees, student building use fees, special student fees or other similar fees...pledged for the payment of bonds heretofore or hereafter issued...shall be included within and deemed to be services and activities fees.' Is this language intended to include the student association fee which was authorized when we passed House Bill No. 820?"

Mr. Kraabel: "No, Representative Rabel, it is not. House Bill No. 820 amended RCW 28B.15.610 which states that the provisions of chapter 15 of Title 28B do not apply to or affect any student fee or charge which the students voluntarily maintain upon themselves for student purposes. Therefore, the provisions of House Bill No. 820 are not affected by the measure we address."

Mr. Kopet spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2739, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz,

Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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 AMENDMENT TO HOUSE RESOLUTION

April 14, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE JOINT RESOLUTION NO. 37 with the following amendment:

On page 3, line 8 strike "property" and insert "capital property as defined by the legislature" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTIONS

Mr. Charette moved that the House do not concur in the Senate amendment to Engrossed House Joint Resolution No. 37, and that the Senate be asked to recede therefrom.

Mr. Swayze moved that the House do concur in the Senate amendment to Engrossed House Joint Resolution No. 37.

Mr. Swayze spoke in favor of the motion.

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

#### POINT OF INQUIRY

Mr. Swayze yielded to question by Mr. Moon.

Mr. Moon: "Representative Swayze, has either the term 'property' or the term 'capital property' been defined in Senate Bill No. 2247, the implementing bill that passed this House and has passed the Senate?"

Mr. Swayze: "I cannot answer that for sure. The only term that I can recall being defined (and that is because we amended the definition) was the term 'capital asset' which is frequently used throughout that statute. But capital asset is a type of property, Representative

Moon, and if they can define that type of property, they can define any other type of property under either the House or the Senate language, in my opinion."

Mr. Moon: "I would agree. I have read the statute fairly thoroughly, and capital asset has been defined. But neither the term 'property' nor the term 'capital property' has been defined, and I think it is important that either of these be defined before we pass on anything as important as this."

Mr. Swayze: "Yes, I think we should take care of that in September."

Mr. Charette discussed the Senate amendment.

Representatives Julin, Charnley and Smith spoke in favor of the motion to concur in the Senate amendment, and Representatives Moon, Kuehnle and Barden spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Swayze to concur in the Senate amendment to Engrossed House Joint Resolution No. 37, and the motion was carried by the following vote: Yeas, 72; nays, 26; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bauer, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Goltz, Haussler, Hoggins, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, Morrison, Nelson, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bagnariol, Barden, Bausch, Benitz, Berentson, Cunningham, Freeman, Garrett, Gaspard, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hurley, Juelling, Kopet, Kuehnle, McCormick, Moon, Newhouse, Pardini, Polk, Pullen, Schumaker, and Mr. Speaker.

#### FINAL PASSAGE OF HOUSE JOINT RESOLUTION AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Joint Resolution No. 37 as amended by the Senate.

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

The Speaker assumed the Chair.

Mr. Moon spoke against passage of the resolution.

ANNOUNCEMENT BY THE SPEAKER

The Speaker: "Mr. Moon, I wish to draw the attention of the House to the fact that the point you made would be valid concerning the effective dates in the implementing statute, but this was an error that was made in engrossing. It was brought to our attention, and we did correct it. The effective dates should both be the same--January 1, 1975."

Mr. Moon: "The copy I have of Engrossed Substitute Senate Bill No. 2247 has two different implementing dates."

The Speaker: "When the error was brought to our attention we did correct it, Representative Moon. It was an error in drafting, and we went back to the original drafter, Lee Collins, to check it."

Mr. Moon: "I certainly hope we don't find any more errors."

The Speaker: "We wish to apologize to the House, since we didn't catch it until the bill had been printed."

Mr. Moon continued his remarks in opposition to the resolution.

POINT OF ORDER

Mr. Douthwaite: "Representative Moon is speaking to the implementing bill. We are about ready to vote on the Joint Resolution. I wish we could get to it."

The Speaker: "I think the point of order is well taken. Representative Moon, we are discussing the constitutional amendment, although your points are well taken when we get to the implementing bill."

Mr. Swayze discussed the implementing statute.

RULING BY THE SPEAKER

The Speaker: "Representative Swayze, I think your remarks are totally out of order, because I just ruled down Mr. Moon."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 37 as amended by the Senate, and the resolution passed the House by the following vote: Yeas, 72; nays, 26; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hoggins, Jastad, Johnson, Julin,

Kalich, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, Nelson, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Barden, Benitz, Berentson, Cunningham, Eikenberry, Freeman, Garrett, Gilleland, Hayner, Hendricks, Hurley, Juelling, Kelley, Kopet, Kuehne, May, McCormick, Moon, Morrison, Newhouse, Pardini, Polk, Pullen, Schumaker, Swayze, and Mr. Speaker.

Engrossed House Joint Resolution No. 37 as amended by the Senate, having received the constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 340, and once again asks the House to concur, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Parker, the House concurred in the Senate amendments to Substitute House Bill No. 340.

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

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 340 as amended by the Senate.

Representative Parker spoke in favor of passage of the bill, and Representatives Morrison, Matthews, Curtis and Valle spoke against it.

Mr. Parker spoke again in favor of the bill, and Mr. Matthews spoke again in opposition to it.

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

#### PARLIAMENTARY INQUIRY

Mr. Morrison: "Mr. Speaker, as prime sponsor, could I make just one closing comment, please?"

The Speaker: "Yes, Representative Morrison, according to House Rule No. 55, the prime sponsor may have the privilege of closing debate after the previous question has been ordered."

Mr. Morrison closed debate, speaking in opposition to the bill as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 340 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 52; nays, 46; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Ceccarelli, Charette, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Knowles, Kopet, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Clemente, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Julin, Kilbury, King, Kraabel, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Tilly, Valle, Wilson, Zimmerman.

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.

## 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.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2352 was placed on final passage.

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

## POINT OF INQUIRY

Mr. Haussler yielded to question by Mr. Charette.

Mr. Charette: "Representative Haussler, what is the annual pay of these prosecuting attorneys?"

Mr. Haussler: "It is around \$15,000 right now. They will get an increase, of course--we gave them an increase of ten percent a few days ago, and when they go full-time, of course they will get more money."

Mr. Charette: "May I ask a further question? At that salary, do these county commissioners feel they will be able to get the services of a prosecuting attorney?"

Mr. Haussler: "Yes, there is no problem there because they will be given much more money, there is no question about it. They will set their own, from now on."

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2352, and the bill passed the House by the following vote: Yeas, 80; nays, 18; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, King, Knowles, Kopet, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Cunningham, Curtis, Freeman, Gilleland, Hurley, Kilbury, Kraabel, Kuehnle, Lysen, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Zimmerman.

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.

STATEMENT FOR THE JOURNAL

Explanation of "no" vote on Senate Bill No. 2352:

To mandate full-time prosecuting attorneys (although commissioners can allow private practice) will be a heavy financial burden on Clallam, Franklin, Island, Kittitas, Mason, Okanogan and Whitman counties. I'm also concerned that they will not be able to attract capable attorneys under this proposed arrangement.

HAROLD S. ZIMMERMAN, 17th District.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2554, by Committee on Local Government (Originally sponsored by Senators Murray and Metcalf):

Providing for prevention of cruelty to animals.

The bill was read the third time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2554 was placed on final passage.

Mrs. North (Frances) spoke in favor of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2554, and the bill passed the House by the following vote: Yeas, 92; nays, 6; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Conner, Cunningham, Gilleland, Jastad, Schumaker, Tilly.

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.

SUBSTITUTE SENATE BILL NO. 2586, by Committee on Ways and Means (Originally sponsored by Senators Durkan, Keefe and T.G. Peterson):

Providing for minimum benefits of firemen and police pensions.

The bill was read the second time.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Substitute Senate Bill No. 2586 be placed on final passage.

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

Mr. Morrison spoke in favor of final passage of Substitute Senate Bill No. 2586.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2586, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett,

Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

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.

ENGROSSED SENATE BILL NO. 2598, by Senator Mardesich:

Authorizing the state of Washington to economically develop state owned and managed lands.

Committee on Natural Resources recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 11 of the printed bill and engrossed bill following "funds." insert "It is further declared that it is the intent of the legislature that the department of natural resources be guided in this economic development of state lands by the criteria set forth in RCW 79.01.095. Any change of policy shall be reviewed with the Legislative Budget Committee."

The bill was read the second time.

Mr. Martinis moved adoption of the committee amendment.

Mr. Flanagan moved adoption of the following amendment to the committee amendment by Representatives Flanagan, Kopet and Martinis:

Beginning after "RCW 79.01.095." strike all material down through "Committee." and insert "The Legislative Budget Committee in the discharge of their performance audit duties for the Legislature shall review the actions of the Department of Natural Resources relative to the criteria set forth in RCW 79.01.095 and include a report thereon in their biennial report to the Legislature if not submitted to the Legislature as a separate report."

Representatives Flanagan and Martinis spoke in favor of the amendment to the amendment.

The amendment to the committee amendment was adopted.

The committee amendment as amended was adopted.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2598 as amended by the House be placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Bill No. 2598 as amended by the House to third reading and final passage, and the motion was lost by the following vote: Yeas, 54; nays, 44; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Ehlers, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Jueling, Julin, Kopet, Kraebel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Sommers, Swayze, Tilly, Williams.

Engrossed Senate Bill No. 2598 as amended by the House was passed to Committee on Rules for third reading.

## MESSAGE FROM THE SENATE

April 7, 1973

Mr. Speaker:

The Senate has passed SENATE BILL NO. 2459 notwithstanding the Governor's partial veto, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## 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.  
(SEAL) Kenneth N. Gilbert, Deputy Secretary.

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 nonmarriage 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.

#### MOTION

Mr. Knowles moved that Senate Bill No. 2459 pass the House, notwithstanding the Governor's partial veto.

Representative Julin spoke against the motion by Mr. Knowles, and Representatives Knowles, Charette, Wilson and Maxie spoke in favor of it.

Mr. Julin spoke again in opposition to the motion.

Mr. Newhouse spoke against the motion by Mr. Knowles, and Representatives Knowles and Eikenberry spoke in favor of it.

The motion was carried.

The Speaker stated the question before the House to be Senate Bill No. 2459 on final passage, notwithstanding the Governor's partial veto.

#### PARLIAMENTARY INQUIRY

Mr. Curtis: "Mr. Speaker, will you explain the implication of the vote on this please?"

The Speaker: "A vote 'aye' means that you are overriding the Governor's veto. A vote 'no' means you are sustaining his veto, and it takes a two-thirds majority vote."

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2459, notwithstanding the Governor's partial veto, and the bill was passed by the following vote: Yeas, 79; nays, 19; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, North F., O'Brien, Pardini, Paris, Parker, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Blair, Bluechel, Brown, Flanagan, Hansey, Hoggins, Julin, King, Kopet, Kraabel, Morrison, Nelson, Newhouse, North L., Patterson, Smith, Swayze.

Senate Bill No. 2459, notwithstanding the Governor's partial veto, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL.

April 14, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 419 with the following amendments:

On page 4, section 3, 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 section 14 and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Morrison moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 419.

Representatives Morrison and Bagnariol spoke in favor of the motion.

The motion was carried.

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

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 419 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 419 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 3; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Kopet, Pardini, Smythe.

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.

## MESSAGES FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 136,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 14, 1973

Mr. Speaker:

The President 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.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 720,  
HOUSE BILL NO. 901,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTIONS

On motion of Mr. Thompson, the House dispensed with further business under the Call of the House.

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

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 136, by Senators Bailey, Mardesich and Lewis (Harry):

Providing for the legislature to adjourn Sunday, April 15, 1973.

On motion of Mr. Thompson, the rules were suspended, Senate Concurrent Resolution No. 136 was advanced to second reading and read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 136 was placed on final passage.

Senate Concurrent Resolution No. 136 was adopted.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE BILL NO. 418,  
HOUSE BILL NO. 621,  
HOUSE BILL NO. 766,  
SUBSTITUTE HOUSE BILL NO. 1005.

## MOTION

On motion of Mr. Charette, the House adjourned until  
4:00 p.m. Sunday, April 15, 1973.

LEONARD A. SAWYER, Speaker.  
DEAN R. FOSTER, Chief Clerk.



## THIRTY-EIGHTH DAY

## AFTERNOON SESSION

House Chamber, Olympia, Wash., Sunday, April 15, 1973.

The House was called to order at 4:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Paris and the Speaker, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

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

## MESSAGE FROM THE GOVERNOR

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on April 14, 1973, Governor Evans approved the following House Bills entitled:  
HOUSE BILL NO. 119: Making the assessor's comparable sales data available to individuals protesting their property valuation.

HOUSE BILL NO. 300: Defining certain areas for investment and expanded services by mutual savings banks.

HOUSE BILL NO. 428: Appropriating funds for the construction of the Benton-Franklin mental health and family counseling center.

HOUSE BILL NO. 482: Providing an alternative payment method for agricultural employees under the laws of industrial insurance.

HOUSE BILL NO. 753: Permitting public assistance grants to certain high school students.

HOUSE BILL NO. 782: Regulating chain distributor business schemes.

Sincerely,  
JOHN H. BRIGHT  
Legislative Counsel.

## SENATE AMENDMENT TO HOUSE BILL

April 14, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 957 with the following amendment:

In section 1, line 9 after "on" and before "1973" strike "June 30" and insert "May 15" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Williams moved that the House concur in the Senate amendment to House Bill No. 957.

Representatives Williams and Bluechel spoke in favor of the motion, and the motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 957 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 957 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Smythe, Sommers, Swayze, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Eikenberry, Hayner, King, North L., Paris, Savage, Smith, Thompson, Van Dyk, and Mr. Speaker.

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.

## SENATE AMENDMENT TO HOUSE BILL

April 14, 1973

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 498 with the following amendment:

On page 8, following 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 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 37, or a similar constitutional amendment, is to be voted on by the people.....\$110,000"

Renumber the remaining section and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Bagnariol moved that the House concur in the Senate amendment to Substitute House Bill No. 498.

Mr. Bagnariol spoke in favor of the motion, and Representatives Swayze and Charnley spoke against it.

Mr. Bagnariol spoke again in favor of the motion.

Representatives Kopet and Julin spoke against the motion to concur in the Senate amendment, and Representative Moon spoke in favor of it.

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

Representatives Charette and Fortson spoke in favor of the motion by Mr. Bagnariol, and Representatives Amen, Curtis and Smythe spoke against it.

## POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Charette, as I recall the discussion when we were talking about the implementing bill here on the floor, there were some possibilities that that bill might be modified during our September session. Do you recall that indication, and is that true?"

Mr. Charette: "I do recall, and it is true."

Mr. Morrison: "Then Representative Charette, could you tell me what the date of that September session is, as now set up in the legislation which both Houses have passed?"

Mr. Charette: "I don't know--some time in September, Mr. Morrison. I'm sorry I haven't read that, but the early part of September, I guess."

Mr. Morrison: "I thought the closing date was September 23. Am I wrong? We've had so many dates."

Mr. Charette: "It may be, but it seems to me that poses no problem with the computer mailing list and dissemination of information by the secretary of state, even if it went out four or five days ahead of time."

Mr. Morrison: "The question was, as I read the bill now, it specifies 'six weeks.' As we have counted back from the November election, we find that we will still be in session here six weeks prior to the November election, and we were concerned. We would support this measure going into conference, believing that a digest of Substitute Senate Bill No. 2247 being sent to the public is sufficient--in fact, preferable, to this particular--the large heavy copy of the bill which all of us have had to struggle with. And also we may want to make modifications in September, and I think the language as it is now is prohibitive in both areas."

Mr. Charette: "I don't really think that would pose any problem. There are two parts--the amendments that we might make in September seem to me would be insignificant because they would concern themselves with rather technical descriptions of property. The second point is that I don't think that we should delegate the authority for making that digest to someone, unless we really know what is going to be in the digest."

Mr. Morrison spoke against the motion by Mr. Bagnariol to concur in the Senate amendment, and Mr. Chatalas spoke in favor of it.

Mr. Bagnariol closed debate, speaking again in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Bagnariol to concur in the Senate amendment to Substitute House Bill No. 498, and the motion was carried by the following vote: Yeas, 55; nays, 41; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eikenberry, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Hansey, Hurley, Jastad, Johnson, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Patterson, Perry, Pullen, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

Voting nay: Representatives Amen, Benitz, Berentson, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Ellis, Eng, Erickson, Garrett, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins,

Jueling, Julin, Kalich, Kopet, Kraabel, Kuehnie, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Polk, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representatives Paris, and Mr. Speaker.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 498 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 498 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 62; nays, 33; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Patterson, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Ehlers, Eikenberry, Flanagan, Garrett, Hansey, Hayner, Jueling, Julin, King, Kopet, Kraabel, Kuehnie, Leckenby, Matthews, Morrison, Nelson, Newhouse, Pardini, Polk, Rabel, Schumaker, Smythe, Swayze, Tilly, Zimmerman.

Not voting: Representatives Gilleland, Paris, and Mr. Speaker.

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.

#### MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2306, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 54, by Representatives Haussler, Julin and Kalich:

Re 36-hour rule with regard to Conference Committee reports.

On motion of Mr. Thompson, the rules were suspended, House Concurrent Resolution No. 54 was advanced to second reading and read the second time.

Mr. Thompson moved that the rules be suspended, the second reading considered the third, and House Concurrent Resolution No. 54 be placed on final passage.

#### PARLIAMENTARY INQUIRY

Mr. Pardini: "The Concurrent Resolution and Joint Rule 9 deal with free conference committee reports. Is that correct, sir?"

The Speaker (Mr. O'Brien presiding): "That is correct. The purpose of this is to waive the 36-hour rule."

The motion by Mr. Thompson was carried.

House Concurrent Resolution No. 54 was adopted.

#### 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. (For Conference Committee Report see Journal for thirty-seventh day, Ex. Sess., April 14, 1973.)

Signed by Senators Fleming, Murray and Talley; Representatives Haussler and Kalich.

#### MOTION

On motion of Mr. Haussler, the House adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 2306.

#### FINAL PASSAGE OF SENATE BILL AS RECOMMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2306 as recommended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2306 as recommended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 61; nays, 33; not voting, 4.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite,

Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hayner, Hendricks, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Moon, North F., North L., O'Brien, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

Voting nay: Representatives Amen, Barden, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hoggins, Hurley, Juelling, Julin, Kuehnle, Matthews, May, Morrison, Nelson, Newhouse, Pardini, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representatives Kraabel, Leckenby, Paris, and Mr. Speaker.

Engrossed Senate Bill No. 2306 as recommended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGES FROM THE SENATE

April 13, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2119,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2247, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2458,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2491, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2555,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2672, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2748, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2790, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has passed:  
ENGROSSED SENATE BILL NO. 2762,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has passed:  
SUBSTITUTE HOUSE BILL NO. 1060,  
ENGROSSED HOUSE BILL NO. 1061,  
HOUSE JOINT RESOLUTION NO. 22,  
and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The President 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.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has passed:  
HOUSE BILL NO. 197,  
HOUSE BILL NO. 1108,  
and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2800 with the House amendment, except for the



following proviso from which the House has receded:

On page 2, lines 9 through 12 which read 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:"

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate 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.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has receded from its amendments to SUBSTITUTE HOUSE BILL NO. 903, and has passed the bill without the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The President 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.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The President 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.

Sidney R. Snyder, Secretary.

#### MOTION

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

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2600, by Committee on State Government (Originally sponsored by Senators Rasmussen and Walgren - by Liquor Control Board request):

Enacting the liquor board omnibus act.

The bill was read the second time.

Mr. Rabel moved adoption of the following amendment by Representatives Perry and Rabel:

On page 6, section 9, beginning on line 18 strike all of subsection (c) and insert

"((c) A person who has been convicted of a felony within five years prior to filing his application;))"

Renumber the remaining subsections consecutively

Representatives Rabel and Perry spoke in favor of the amendment, and Representatives Newhouse and Wojahn spoke against it.

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

#### POINT OF INQUIRY

Mr. Rabel yielded to question by Mr. Parker.

Mr. Parker: "Representative Rabel, as I understand the original bill that we passed in the committee, much of the testimony was that a large part of the problem that many convicted felons have is getting a job. So let's assume for a second that a convicted felon came out and maybe got set up in business in a store. Does he have to get a license then to sell packaged beverages, like beer, etc., in that store? And if so, would this preclude him from doing that?"

Mr. Rabel: "Representative Parker, it is my understanding that the section as it exists would automatically prohibit the granting of any license. And the ex-felon, as a grocery store operator selling beer and wine for consumption elsewhere, would not be permitted to do so, since he would not be able to be considered for a license because of this provision."

Mr. Parker spoke in favor of adoption of the amendment by Representatives Perry and Rabel, and Mr. Newhouse spoke again in opposition to it.

Mr. Douthwaite spoke in favor of the amendment, and Mr. Eikenberry spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Perry and Rabel to Engrossed Substitute Senate Bill No. 2600, and the amendment was lost by the following vote: Yeas, 38; nays, 53; not voting, 7.

Voting yeas: Representatives Adams, Anderson, Bausch, Beck, Blair, Brown, Charette, Charnley, Conner, Douthwaite, Ehlers, Ellis, Eng, Gaines, Gallagher, Gaspard, Goltz, Haussler, Jastad, Johnson, Kalich, Kelley, King, Knowles, Lysen, North F., O'Brien, Parker, Perry, Rabel, Savage, Shinpoch, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams.

Voting nays: Representatives Amen, Barden, Bauer, Bender, Benitz, Berentson, Bluechel, Clemente, Cunningham, Curtis, Eikenberry, Erickson, Flanagan, Fortson, Freeman,

Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Juelling, Julin, Kilbury, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Randall, Schumaker, Smith, Smythe, Swayze, Tilly, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bagnariol, Ceccarelli, Chatalas, Leckenby, Martinis, Paris, and Mr. Speaker.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2600 was placed on final passage.

Mrs. Wojahn spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2600, and the bill passed the House by the following vote: Yeas, 87; nays, 8; not voting, 3,

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Planagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn.

Voting nay: Representatives Bluechel, Brown, Cunningham, Eikenberry, Julin, Polk, Pullen, Zimmerman.

Not voting: Representatives Leckenby, Paris, and Mr. Speaker.

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.

#### MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 2522, and asks the House for a conference thereon, and the President has appointed as members of said Conference Committee: Senators Durkan, Walgren and Whetzel.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Conner, the House granted the request of the Senate for a Conference on Senate Bill No. 2522.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) appointed Representatives Conner, Rabel and Berentson as members of the Conference Committee on Senate Bill No. 2522.

## SECOND READING

ENGROSSED SENATE BILL NO. 2621, by Senators Guess and Donohue:

Implementing the laws relating to snowmobiles.

The bill was read the second time.

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

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."

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 motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2621 as amended by the House, was placed on final passage.

Mr. Luders spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2621 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Berentson, Leckenby, Paris, and Mr. Speaker.

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.

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 bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2741 was placed on final passage.

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

## POINT OF INQUIRY

Mr. Beck yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Beck, I don't really think that your description of the bill covered everything that seems to be included in this bill. It is the first time I have seen it, and I was just sitting here thumbing through it, and I find a section in here on page 30 that troubles me. On page 30, line 6 of the bill, it says that it is illegal for a manufacturer of motor vehicles: 'To provide under the terms of any warranty that a purchaser of any new or unused vehicle that has been sold, distributed for sale, or transferred into this state for resale by the vehicle manufacturer that any warranty claim on any item

included as an integral part of the vehicle may only be made against the manufacturer of that item'."

Mr. Beck: "That is to take care of a mobile home that has been sold on the secondhand market. Now what section 18 does--it deletes motor from the phrase 'motor vehicle' where it is used in any of our statutes. It makes other nonsubstantive language changes, and it makes it unlawful for a manufacturer to provide under the terms of the warranty that the purchaser may only make warranty claims on any item included as an integral part of the vehicle against the manufacturer at that time."

Mr. Kuehnle: "Well, does that mean, Representative Beck, that if I buy one of these vehicles and it has a warranty and I have some problems with it, that the only one I can go to for adjustment of that warranty is the manufacturer and that I have no recourse against the dealer?"

Mr. Beck: "It exempts the manufacturer--it makes the dealer responsible then. The dealer is not required to have the bond like the manufacturer is. Manufacturers cannot be responsible for a secondhand vehicle."

Mr. Kuehnle: "Well I submit, Representative Beck, that the language in that subsection (f) would indicate that the only recourse you have is against the manufacturer and that you therefore do not have any recourse against the dealer."

Mr. Beck: "Well, Jim, you can read it as good as I can. I have explained to you what I thought it meant. If that isn't correct, and you don't like it, vote against it."

Mr. Kuehnle spoke against passage of the bill, and Mr. Laughlin spoke in favor of it.

Mr. Barden spoke in favor of the portion of the bill discussed by Representative Kuehnle.

#### POINT OF INQUIRY

Mr. Beck yielded to question by Mr. Randall.

Mr. Randall: "A little earlier in the session, I had communication from a dealer in my district concerned about the chances that the dealer's plates were going to skyrocket in cost to the dealer. On page 11, I see a reference to this, where it says: 'The fee for vehicle dealer license plates and manufacturer license plates shall be the amount required by law for vehicle license plates exclusive of excise tax and gross weight.' Will you tell me if this in fact is going to limit the dealer's current ability to receive license plates at the fee he now receives them at, or limit the total that he can get?"

Mr. Beck: "Bob, this bill provides three different classes of dealer plates for the purposes of providing special dealer plates, matched to the legitimate business requirements for the three classes of districts which are created. In addition to providing for these three districts (three dealer plates) all the other license fees have been increased to the basic license fees paid by all vehicles--\$9.40. It makes three different classes of dealers there."

Mr. Randall: "I think you answered me then. If I am right, the current cost for a dealer's license plate so he can sell his merchandise on his lot, and allow it to hit the street and allow the person to try it out is \$5.00. This apparently is going to double the cost of that, and in addition to that, I think it limits it to how many he can have without going over that fee. Before I can vote for this bill, I've got to know what is in it. I am not on that committee, but I am terribly suspicious that what we are doing here is doubling the license cost for the dealer's plates. And I'd like an answer to it."

Mr. Beck: "Bob, in section 7, it spells out exactly what it is: 'The fees for original licenses issued for a calendar year or any portion thereof pursuant to this chapter shall be : (a) Vehicle dealers, principal place of business for each and every license classification: Fifty dollars;' (That's for an original licensed dealer there, for his principal place of business.) Then it goes down to vehicle manufacturer, who has a \$50.00 fee, the subagency has a \$10.00 fee, and the salesman has a \$10.00 fee. It is spelled out right there on page 10, section 7."

#### MOTION

Mr. Kuehnle moved that the House defer further consideration of Substitute Senate Bill No. 2741 and that it be placed at the bottom of today's third reading calendar.

Mr. Beck stated he had no objection to the motion.

Mr. Ehlers spoke against the motion to defer consideration of the bill, and Representatives Randall and Charette spoke in favor of the motion.

The motion by Mr. Kuehnle was carried.

ENGROSSED 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 bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2099 was placed on final passage.

Ms. Sommers spoke in favor of the bill.

POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Ceccarelli.

Mr. Ceccarelli: "Representative Bagnariol, does the proviso in Engrossed Substitute Senate Bill No. 2099, beginning on line 17 and ending on line 24, exempt all public and nonpublic schools including K-12 and institutions of higher learning?"

Mr. Bagnariol: "Yes, it does, Representative Ceccarelli. The reason for the question is to make sure it is in the Journal. There is some potential problem with the words 'including schools,' so we just wanted to make sure that we cleared up, in the Journal, that that is the intent of the legislation."

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "In this new feature of this bill--do you consider this is perhaps a complete change of the idea of general purpose government as to special service government, in terms of this kind of a service charge? I mean, do you think that we should make a service charge for police departments, for those who live closest to the police department or that the library people who live closest should have a special service charge?"

Ms. Sommers: "I think that the drafters or the sponsors of this bill were strictly concerned about fire protection districts and their funding problems, and that was their only intent here. That is my understanding, but I would have to check with them for further clarification."

Mr. Zimmerman: "Is there a possibility of the fact that the person who lives closest to the fire department who never would be using it at all would thereby be paying considerably more than the man who is out at the end of the line and who might have a fire every three years? Is there some possibility that you run into some rather peculiar circumstances as far as the funding that you are talking about in terms of the service charge just because of your being close to the fire hall?"

Ms. Sommers: "There is a hearing procedure for review of the rates and an appeals board. So hopefully, that would take care of that kind of a problem."

Mr. Zimmerman spoke against the bill.



Representatives Ehlers, Haussler and Kuehnle spoke in favor of passage of the bill, and Representative Pardini spoke against it.

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

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

POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mrs. North (Lois).

Mrs. North (Lois): "Mr. Kuehnle, as I read this bill, this would enable fire districts to double the amount of income that they now can tap. They are limited to one mill, and this says very carefully that the additional amount shall go up to one more additional mill. You have raised a very interesting philosophical point. You just stated that you thought the special levies were an unfair method of financing fire districts. If you carry that through, you are really saying that the property tax is an unfair method of financing fire districts. Now most of us on the Local Government Committee had always assumed that property tax was a logical way to fund police protection--fire protection, because it enhances the value of the property. And yet you are pointing to something quite different, and I must admit that I am intrigued because you are really pointing up that the basis of taxing people should be in proportion to the service they are going to receive. The closer he is to the fire district and the fire equipment, the more service he is getting and the guy way out in the boondoggles who isn't going to get much help very quickly, should really be paying less. And I guess I really want you to comment on this because you have shaken me up. I always thought the property tax was a fair and justified system for financing fire districts."

Mr. Kuehnle: "Well, I think everything you said is true. The land taxation or property taxation most certainly is more equitable in the case of fire protection or police protection, for example, than it is in other areas. And we can certainly equate a relationship between property taxation and value received in the case of such things as fire protection. We can equate this much more readily than we can, for example, in the case of libraries. So, therefore, a basic level of fire protection on property taxes is essentially fair, although this new concept is even more fair. And I think what we are saying is that if the basic millage that the fire districts have available to them is not enough to do the job, then it is more fair to go this route than it is to go to a special levy. It is more fair to tax those who are benefited more by upgrading the quality of the fire department than it is just to carte blanche charge everybody in that fire protection district the same amount of money in terms of millage regardless of the extent to which they have benefited by the dollar expenditures for upgrading the department."

Mrs. North (Lois): "I appreciate your comments. I want to ask you one further question. For a special levy, is it not true that the election requirements are much more strict to meet and to validate than in this bill where it is a simple majority vote of the voters to then go into this new field of taxation?"

Mr. Kuehnle: "I think the answer to that is 'yes.' There is a possibility of an abuse here, although frankly, on the basis of my experience, the fire commissioners who are elected by the people and who are very close to the people, and are very accountable to the people, are doing a very good and very responsive job. These are unpaid positions, and I frankly, in most instances, think they are doing a commendable job. The provisions that are built into this bill for an annual review of this procedure, complaint procedures, provisions to handle complaints, to provide equity, I think guarantee a degree of protection although I cannot argue with the point that you are trying to make that the degree of protection is not available here to quite the extent that it is under the 60-40 requirements of a special levy. But it doesn't worry me."

Representatives North (Lois) and Flanagan spoke against passage of the bill, and Representative Anderson spoke in favor of it.

#### POINT OF INQUIRY

Mr. Haussler yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I know we want to support the fire districts, but basically I want to ask you about the need here to change the structure of the elections which we presently have. I understand that presently if more money is necessary for fire protection, we simply can run a special levy election, which as Representative North has said requires a sixty percent plurality. Why is it necessary for us to change--to go to this type of a system? Why can't we simply continue to operate under the old system?"

Mr. Haussler: "Well, Mr. Douthwaite, you are asking for them to do something every year, and this way we could do it at one time. And as long as the people are willing to vote for it, they would have it. There are other things that enter into this. Vacant land. Naturally people won't have to pay on this. I can't see anything wrong with just a majority in areas of farm land. This is mostly what this is. So I really think that the way this is written, there is nothing wrong with it."

Representatives Douthwaite and Brown spoke against passage of the bill.

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

## ROLL CALL

The Clerk called the roll on final passage of Engrossed Substitute Senate Bill No. 2099, and the bill passed the House by the following vote: Yeas, 54; nays, 40; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Blair, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kuehne, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Nelson, O'Brien, Randall, Savage, Schumaker, Shinpoch, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bender, Benitz, Berentson, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Fortson, Freeman, Garrett, Gilleland, Hansen, Hayner, Hendricks, Hoggins, Julin, Kopet, Kraabel, Leckenby, Matthews, Morrison, Newhouse, North F., North L., Pardini, Parker, Patterson, Polk, Pullen, Rabel, Smith, Tilly, Wilson, Zimmerman.

Not voting: Representatives Hansey, Moon, Paris, Perry.

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.

ENGROSSED SENATE BILL NO. 2614, by Senators Whetzel, Clarke and Woody:

Specifying a rate classification for inheritance taxation.

Committee on Ways and Means - Revenue recommendation: Majority, do pass 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"

The bill was read the second time.

On motion of Mr. Randall, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2614 as amended by the House was placed on final passage.

Representatives Randall and Eikenberry spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2614 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Leckenby, Paris.

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.

## MOTIONS

Mr. Thompson moved that the Rules Committee be relieved of the following bills and that they be placed on the second reading calendar in the following order: ENGROSSED SENATE CONCURRENT RESOLUTION NO. 108; ENGROSSED SENATE BILL NO. 2146; SENATE BILL NO. 2353; SENATE BILL NO. 2570; ENGROSSED SUBSTITUTE SENATE BILL NO. 2085; SENATE BILL NO. 2890.

The motion was carried.

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

## MOTION

Mr. Thompson moved that the Rules Committee be relieved of the following bills and that they be placed on the third reading calendar in the following order: ENGROSSED SENATE BILL NO. 2425 as amended by the House; ENGROSSED SENATE BILL NO. 2598 as amended by the House; and ENGROSSED SENATE BILL NO. 2841 as amended by the House.

## POINT OF INQUIRY

Mr. Pardini: "Is it possible that Representative Thompson could give us short titles on these bills if he has them handy?"

Mr. Thompson: "Senate Bill No. 2425 is the write-in voting bill. Senate Bill No. 2598 is the department of natural resources land development bill. And Senate Bill No. 2841 deals with hospital laundries."

Mr. Charette: "I might add that this is the list of bills that the leadership on both sides have agreed on to be considered."

The motion was carried on a rising vote.

#### THIRD READING

ENGROSSED SENATE BILL NO. 2425 as amended by the House, by Senators Odegaard, Grant and Henry:

Implementing the law relating to write-in-voting at primaries and general elections.

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

Mr. Laughlin spoke in favor of the bill.

#### POINT OF ORDER

Mr. Swayze: "My point of order, Mr. Speaker, is that Engrossed Senate Bill No. 2425 is not properly before this body. Rule 81 provides: 'That a majority of members elected to the House may require a committee to report a bill back to the House during the order of business at which it may be considered.' The vote on the motion was 47 'aye' and 37 'nay.' The bill is not properly before this body."

Mr. Charette demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Paris.

On motion of Mr. Conner, the absent member was excused, and the House proceeded with business under the Call of the House.

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "The question before the House at the time the Call of the House was ordered was the point of order raised by Mr. Swayze in connection with Senate Bill No. 2425 being rereferred from the Rules Committee without a majority of the members elected to the House supporting such a motion. Mr. Swayze's point is well taken. House Rule 81 states: 'That a majority of members elected to the House may require a

committee to report a bill back to the House during the order of business at which it may be considered.' It would appear that we had a majority vote of 47 that ordered that the Rules Committee be relieved of Senate Bill No. 2425. Therefore, Senate Bill No. 2425 is not properly before us at this time. The point of order is well taken."

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 House resumed consideration of the bill.

Representatives Beck and Kuehnle spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2741, and the bill passed the House by the following vote: Yeas, 89; nays, 8; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bausch, Gallagher, Kuehnle, Schumaker, Tilly, Warnke.

Not voting: Representative Paris.

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.

#### MOTION

Mr. Thompson moved that the Rules Committee be relieved of the following bills and that they be placed on the third reading calendar in the following order: ENGROSSED SENATE BILL NO. 2425 as amended by the House; ENGROSSED SENATE BILL NO. 2598 as amended by the House; ENGROSSED SENATE BILL NO. 2841 as amended by the House; and SENATE BILL NO. 2036.

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

## ROLL CALL

The Clerk called the roll on the motion by Mr. Thompson, and the motion was carried by the following vote: Yeas, 61; nays, 36; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Hansey, Hayner, Hoggins, Juelling, Julin, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representative Paris.

## THIRD READING

ENGROSSED SENATE BILL NO. 2425 as amended by the House, by Senators Odegaard, Grant and Henry:

Implementing the law relating to write-in-voting at primaries and general elections.

The bill was read the third time.

Mr. Laughlin spoke in favor of the bill, and Mr. Zimmerman spoke against it.

Mr. Laughlin spoke again in favor of the bill, and Mr. Brown spoke against it.

Mr. Kalich spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Laughlin yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I take it the intent here is that if one ran in a primary and lost, then he could not write himself in to run again in the general, if he had lost in the primary."

Mr. Laughlin: "I feel I would have to yield to someone who knows the laws better than I do. I wouldn't want to answer it because I really don't know."

Mr. Douthwaite spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of

Engrossed Senate Bill No. 2425 as amended by the House, and the bill passed the House by the following vote: Yeas, 54; nays, 43; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, McCormick, Moon, North F., O'Brien, Parker, Perry, Pullen, Savage, Shinpoch, Smith, Thompson, Valle, Van Dyk, Warnke, Williams, Wajahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Jueling, Julin, Kopet, Kraabel, Kuehnle, Matthews, May, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Rabel, Randall, Schumaker, Smythe, Sommers, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representative Paris.

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 SENATE

April 14, 1973

Mr. Speaker:

The Senate has concurred in all of the House amendments to SUBSTITUTE SENATE BILL NO. 2854 except the amendment to page 8, line 31 and line 33, and has passed the bill as amended by the House, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute Senate Bill No. 2854. (See Journal for thirty-seventh day, Ex. Sess., April 14, 1973, for House action in receding from amendment.)

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2854 without the House amendment to page 8, line 31 and line 33, and the bill passed the House by the following vote: Yeas, 54; nays, 43; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen,



Martinis, Maxie, May, McCormick, North F., O'Brien, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kelley, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representative Paris.

Substitute Senate Bill No. 2854 without the House amendment to page 8, line 31 and line 33, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the bill.

#### EXPLANATION OF VOTE

I voted originally against Substitute Senate Bill No. 2854. When it came back to the House, through error I voted for it. I wish the Journal to show I intended to vote "no."

JOE D. HAUSSLER, 7th District.

#### MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House recessed until 8:15 p.m.

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#### EVENING SESSION

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The House was called to order at 8:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Paris who was excused.

#### MESSAGES FROM THE SENATE

April 15, 1973

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 847,

ENGROSSED HOUSE BILL NO. 1007,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The Senate has passed:  
HOUSE JOINT MEMORIAL NO. 21,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The President has signed:  
HOUSE BILL NO. 418,  
HOUSE BILL NO. 621,  
HOUSE BILL NO. 766,  
SUBSTITUTE HOUSE BILL NO. 1005,  
and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The President 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.

Sidney R. Snyder, Secretary.

## THIRD READING

ENGROSSED SENATE BILL NO. 2598 as amended by the House, by  
Senators Woodall and Connor:

Authorizing the state of Washington to economically  
develop state owned and managed lands.

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

Mr. Martinis spoke in favor of passage of the bill  
and Mr. Charnley spoke against it.

## POINT OF ORDER

Mr. Martinis: "Mr. Speaker, I don't believe the  
person who is testifying is talking to the bill. There is  
nothing in the bill that is so specific that refers to  
copper mines or any specific project that would be  
contained in the bill. There is absolutely no language  
which he speaks to."

The Speaker (Mr. O'Brien presiding): "Mr. Charnley,  
will you hold your remarks to the main proposition which  
this bill encompasses?"

Mr. Charnley concluded his remarks in opposition to  
the bill.

Mr. Thompson demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Paris.

On motion of Mr. Charette, the absent member was excused, and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be Engrossed Senate Bill No. 2598 as amended by the House on final passage.

Representatives Kilbury and Moon spoke in favor of the bill, and Representatives Cunningham and Zimmerman spoke against it.

Mr. Martinis spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2598 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 48; nays, 49; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ellis, Erickson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Flanagan, Fortson, Freeman, Gaines, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North F., North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Sommers, Swayze, Tilly, Williams, Wilson, Zimmerman.

Not voting: Representative Paris.

Engrossed Senate Bill No. 2598 as amended by the House, having failed to receive the constitutional majority, was declared lost.

## SENATE AMENDMENT TO HOUSE BILL

April 15, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 894 with 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" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. King moved that the House do not concur in the Senate amendment to Engrossed Substitute House Bill No. 894, and that the Senate be asked to recede therefrom.

Mr. Brown moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 894.

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

Representatives Brown and Morrison spoke in favor of the motion, and Representatives King, Parker, Kilbury and Smith spoke against it.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Brown that the House concur in the Senate amendment to Engrossed Substitute House Bill No. 894, and the motion was lost by the following vote: Yeas, 41; nays, 56; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Shinpoch, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Paris.

The Speaker (Mr. O'Brien presiding) stated the effect of the failure of the motion was that the House did not concur in the Senate amendment and asked the Senate to recede therefrom.

## SENATE AMENDMENTS TO HOUSE BILL

April 15, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 933 with the following amendments:

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 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 physicians shall have the same rights of notice, hearing and judicial review as provided licensed physicians generally pursuant to chapter 18.72 RCW."

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."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTIONS

On motion of Mr. Adams, the House concurred in the Senate title amendment and the amendment adding a new section 2 to Engrossed House Bill No. 933.

Mr. Adams moved that the House do not concur in the third Senate amendment to Engrossed House Bill No. 933 and that the Senate be asked to recede therefrom.

The motion was carried.

## PARLIAMENTARY INQUIRY

Mr. Eikenberry: "Maybe I missed it. I didn't hear the vote on the second motion, and I am interested as to whether we have adopted that amendment."

The Speaker (Mr. O'Brien presiding): "The motion carried. Dr. Adams moved that the House do not concur in the third Senate amendment to the bill and ask the Senate to recede therefrom. The motion carried."

## THIRD READING

ENGROSSED SENATE BILL NO. 2841 as amended by the House, by Senator Fleming:

Providing a sales tax exemption for hospital laundry services.

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

Mr. Randall spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Smythe.

Mr. Smythe: "Mr. Randall, if this subsidy bill passes, how much is the subsidy going to amount to as you see it?"

Mr. Randall: "First of all, I take exception to the question because it is not a subsidy bill. They are not being taxed now at that rate, so it is not a subsidy. It will continue at the current rate, that's all."

Mr. Smythe: "All right, how much are we talking about the state not receiving in sales tax?"

Mr. Randall: "To increase the tax rate on this particular entity--to increase it to create a new tax impact--I think it was in the nature of (I don't see it here, but I'll say it off the top of my head) around \$110,000 or \$115,000."

Mr. Smythe: "Does that relate only to hospitals that you are concerned with at the moment in King County, that you are aware of? Because you don't know how many others would qualify at the moment--right?"

Mr. Randall: "That is right, all nonprofit hospitals which have developed a nonprofit entity to do this work."

Mr. Smythe: "Can I ask you another question, please? In Clark County we have two nonprofit hospitals. One is St. Joseph's and the other is Vancouver. They presently contract with private enterprise to do their laundry services. Do they qualify under this bill?"

Mr. Randall: "No."

Mr. Smythe spoke against passage of the bill, and Mr. Moon spoke in favor of it.

Mr. Randall spoke again in favor of the bill.

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

#### POINT OF INQUIRY

Mr. Moon yielded to question by Mr. Julin.

Mr. Julin: "Representative Moon, I think you will recall the number '144' that we considered in a prior session, dealing with exemption from taxation. Can you tell me the philosophical difference between this measure and that one which you so vigorously opposed?"

Mr. Moon: "I don't recall what '144' was. If you might refresh my memory, maybe I could."

Mr. Julin: "It had something to do with computer services for the Boeing Company."

Mr. Moon: "Yes, Representative Julin, I can tell you the difference. I earlier remarked that this is a tax exemption to a nonprofit organization performing a public service. The exemption that was granted in '144' was an exemption to a profit-making organization that was doing business for a profit, and not as a public service. That is the difference. Now I might further add, that I think this type of extension that Representative Smythe mentioned--the hospitals and other nonprofit associations or entities that are performing a public service in his area, that are contracting their laundry services out--I think this is an area that this legislature should give serious consideration to reviewing the possibility of exempting that particular service as well."

Representatives Rabel and Matthews spoke in favor of passage of the bill, and Representative Smythe spoke again in opposition to it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2841 as amended by the House, and the bill passed the House by the following vote: Yeas, 66; nays, 31; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Goltz, Hansen, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gaspard, Gilleland, Hansey, Hendricks,

Jueling, Julin, Kelley, Kuehnle, Leckenby, May, Nelson, Pardini, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Zimmerman.

Not voting: Representative Paris.

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.

#### MOTION

On motion of Mr. Charette, all bills passed by the House to this point in the proceedings were ordered transmitted immediately to the Senate.

#### THIRD READING

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

Creating a division of corrections within the department of social and health services.

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

Representatives Parker and Kilbury spoke in favor of the bill and Representatives Zimmerman, Leckenby, Freeman and Smythe spoke against it.

#### POINT OF INQUIRY

Mr. Matthews yielded to question by Mr. Smythe.

Mr. Smythe: "Mr. Matthews, several of us on the committee have been talking about an alternative to this because we do believe that Senators Odegaard and Talley have a valid concern. Would you mind telling us what we have come up with as a possible alternative solution?"

Mr. Matthews: "Yes, we do have a similar concern. I think that administratively this is a decision that should be made within the department. Therefore we have come up with a resolution for the Social and Health Services Committee to study this in the interim..."

#### POINT OF ORDER

Mr. Charette: "My point of order, Mr. Speaker, is that it is truly not a question, and it is just costing the state money to put this in the Journal."

The Speaker (Mr. O'Brien presiding): "I think we have been abusing this question and answer period. We are not in the court room. I have noticed it all evening. We are firing back questions and answers to try to put things in the Journal. I think if you have any questions of this nature (I am not particularly singling you out on this), but we are abusing this practice and this isn't its function.



It is quite prevalent now. If you have the floor, you have the right to make your point, and if you have a question, maybe you could talk to the person privately."

POINT OF ORDER

Mr. Julin: "Mr. Speaker, my recollection is that early in the session I asked the question whether or not all questions and answers would become part of the Journal of this House. My recollection is that the answer was 'no.' Therefore, I believe, in light of that, Mr. Charette's remarks are not in order."

RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "The Speaker made a statement along that line. Then later he said we would continue the practice as has been done in the past, but he felt we should not abuse it. That is why Mr. Charette raises the question. We don't want you to abuse this privilege, because it is so costly and we have our Journal filled up with a lot of questions and answers."

Mr. Matthews: "Mr. Speaker, may I then simply respond after being recognized by the Speaker?"

The Speaker (Mr. O'Brien presiding): "I think I will give you the floor. Mr. Smythe, are you finished?"

Mr. Smythe: "All right, I'll give the floor to Mr. Matthews. I could respond to the statement by Mr. Charette that this is not our intention here that this go into the Journal. So, with that, you can keep it out."

Mr. Matthews spoke against the bill.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2036, and the bill passed the House by the following vote: Yeas, 53; nays, 44; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Garrett, Gaspard, Goltz, Hansen, Haussler, Hayner, Hendricks, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Smith, Sommers, Thompson, Valle, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gallagher, Gilleland, Hansey, Hoggins, Hurley, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Shinpoch, Smythe, Swayze, Tilly, Van Dyk,

Warnke, Williams, Wilson, Zimmerman.  
Not voting: Representative Paris.

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.

#### MOTIONS

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

Mr. Thompson moved that the House immediately consider the second reading calendar beginning with ENGROSSED SENATE CONCURRENT RESOLUTION NO. 108, to be followed by ENGROSSED SENATE BILL NO. 2146; SENATE BILL NO. 2353; and SENATE BILL NO. 2570.

The motion was carried.

#### POINT OF ORDER

Mr. Amen: "Rule 26 says: 'No bills shall be considered on second reading unless a calendar of bills for second reading and copies of any amendment made by a committee have been distributed to each member no later than 8:00 p.m. on the second day preceding such consideration unless otherwise provided by the Rules Committee.'"

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "In connection with your point of order, Mr. Amen, Rule 43 relating to the daily calendar provides: 'A bill in the Rules Committee may be placed on the calendar by the affirmative vote of a constitutional majority of all members of the house.' It appears this would be the prevailing rule, and this is what happened."

Mr. Amen: "Then this is in direct conflict with Rule 26."

The Speaker (Mr. O'Brien presiding): "It all depends on how you look at it."

Mr. Amen: "I look at it as a direct conflict."

The Speaker (Mr. O'Brien presiding): "Well, I don't."

#### PARLIAMENTARY INQUIRY

Mr. Eikenberry: "The Chair has ruled that a majority vote is all that is necessary to place a bill on the calendar, but I fail to see how that then brings us into compliance with Rule 26, which says the calendar must be out here a day ahead of time."

The Speaker (Mr. O'Brien presiding): "Well, of course, the decisions that are made in connection with the bills and actions of the House have to be determined on the basis of orderly procedure. It appears that the motion was made to relieve the Rules Committee of these respective bills, and it was done according to our rules. I don't see any way that this is particularly in conflict with any other rules."

## MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on HOUSE BILL NO. 590, and has passed the bill as amended by the Conference Committee, and said bill, together with the Conference Committee report, is herewith transmitted.

Sidney R. Snyder, Secretary.

## 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, Lewis (Harry) and Peterson (Lowell); Representatives Johnson and Chatalas.

## MOTION

Mrs. Johnson moved that the House adopt the report of the Conference Committee on House Bill No. 590.

Representatives Johnson and Chatalas spoke in favor of the motion, and Representative Newhouse spoke against it.

Mrs. Johnson spoke again in favor of the motion.

## POINT OF ORDER

Mr. Newhouse: "I would like to raise the question of the scope and object of the amendment to House Bill No. 590."

The Speaker (Mr. O'Brien presiding): "Mr. Newhouse, will you kindly explain why you are raising the question of scope and object?"

Mr. Newhouse: "Mr. Speaker, the basic bill was a rather simple bill which established the membership as far as the members of the horse racing commission and their qualifications--a very simple bill. A rather broad title

it is true--An act relating to horse racing. The amendments go very extensively into the management of funds and far beyond the scope and object of the original bill."

RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "In connection with your question of whether or not these amendments are beyond the scope and object of the original bill, it appears there is nothing new that has been added. These Senate amendments were before us before. You didn't raise the question at that time. So the Conference Committee didn't add anything to the report. They just are now moving that these amendments be adopted. So your point of order is not well taken, Mr. Newhouse."

Mr. Newhouse: "You are ruling then that it is not timely? You did not rule as the scope and object then?"

The Speaker (Mr. O'Brien presiding): "It isn't for me to decide now whether these amendments made by the Senate are within the original scope of the bill because when the amendments came back from the Senate you didn't raise the question. Therefore your point of order is not timely made, and the question just wouldn't be before us at this time."

Mr. Newhouse: "My one comment is that I think you have made the proper ruling. I just want to point out that the President of the Senate did it to me once last time and I just wanted to get that ruling."

The motion by Mrs. Johnson that the report of the Conference Committee on House Bill No. 590 be adopted was carried.

FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED  
BY CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 590 as recommended by the Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 590 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 60; nays, 37; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Pardini, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz,

Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representative Paris.

House Bill No. 590 as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### 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 the 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 Mr. Flanagan, the report of the Conference Committee on Substitute House Bill No. 53 was adopted and the committee was granted the powers of Free Conference.

#### SECOND READING

ENGROSSED 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.

The resolution was read the second time.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Engrossed Senate Concurrent Resolution No. 108 was placed on final passage.

Representatives Maxie and Bauer spoke in favor of the resolution.

Engrossed Senate Concurrent Resolution No. 108 was adopted.

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.

#### POINT OF ORDER

Mr. Amen: "In quoting Rule 26 as I quoted earlier, and rereading it, it says: 'No bills shall be considered on second reading...' You quoted Rule 43 which says: 'A bill in the Rules Committee may be placed on the calendar...' It was placed on the calendar, and you now want to consider it. Rule 26 says 'shall not be considered'."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "The point you are raising, Mr. Amen, in Rule 26 is that no bill shall be considered on second reading unless a calendar of bills for second reading and copies of any amendment made by a committee have been distributed to each member no later than 8:00 p.m. on the second day preceding such consideration unless otherwise provided by the Rules Committee. Now Rule 43 states: 'A bill in the Rules Committee may be placed on the calendar by the affirmative vote of a constitutional majority of all members of the House.' So what's your problem?"

Mr. Amen: "Mr. Speaker, there is not much of a problem here. The rule you are quoting says may be 'placed' on the calendar. Rule 26 says it cannot be 'considered.' Those are two different things."

The Speaker (Mr. O'Brien presiding): "Unless otherwise ordered by the Rules Committee."

Mr. Amen: "Has this been ordered by the Rules Committee? Has there been a Rules Committee meeting to order this out?"

The Speaker (Mr. O'Brien presiding): "I think, Mr. Amen, that you raise a point which probably should be considered by the next meeting of the Rules Committee. It appears that the rules are in conflict. I am holding that Rule 43(a) is controlling in this instance."

Mr. Amen: "Mr. Speaker, these are the rules that we are operating under now."

The Speaker (Mr. O'Brien presiding): "We are operating under Rule 43(a) too."

Mr. Amen: "This is right, but placing on the calendar and considering are two entirely different things."

The Speaker (Mr. O'Brien presiding): "It so happens we have two rules against your one rule. We have Rule 43(a) and Rule 81. You only have one."

Mr. Amen: "Mr. Speaker, would you give a definition of 'considered' and 'placed,' please? The difference between them?"

The Speaker (Mr. O'Brien presiding): "Mr. Amen, the rules that we cited--Rule 43(a) and Rule 81 state that 'a constitutional majority of all members of the house' is controlling in these instances. I am adhering to that fact."

Mr. Amen: "Mr. Speaker, Rule 81 says 'PROVIDED, That a majority of members elected to the house may require a committee to report a bill back to the house...' The majority has not required the Rules Committee to report this back."

The Speaker (Mr. O'Brien presiding): "Your questions are all moot."

Engrossed Senate Bill No. 2146 was read the second time.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2146 was placed on final passage.

Mr. Williams spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2146, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Lysen.

Not voting: Representative Paris.

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.

## MOTION

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

## INTRODUCTION AND FIRST READING

ENGROSSED 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 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 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; making an appropriation; and making an effective date.

## MOTION

On motion of Mr. Charette, the rules were suspended, Engrossed Senate Bill No. 2119 was advanced to second reading to be considered immediately.

## SECOND READING

ENGROSSED 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.



The bill was read the second time.

On motion of Mr. Charette, the following amendment by Representatives Charette and Shinpoch was adopted:

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

On motion of Mr. Charette, Engrossed Senate Bill No. 2119 as amended by the House, was advanced to third reading.

Representatives Maxie, Kopet and Shinpoch spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Ms. Maxie yielded to question by Mr. Amen.

Mr. Amen: "Representative Maxie, I am for equality in these pension plans, but do you have any figures on how much this will cost the state? I would like to know approximately."

Ms. Maxie: "Right, the figure is \$1.6 million. The appropriation figure is in the bill."

Mr. Amen: "Would this be for just this next biennium? Is that what it is for, or to pick up some back pensions? How much would it cost, say in the next ten years? Do you have any figures on that?"

Ms. Maxie: "The Senate added new sections 10 and 11, which makes the provisions of the act effective July 1, 1974, and funds the program for the second year of the biennium."

Mr. Amen: "Is this for the biennium that you quoted \$1.6 million?"

Ms. Maxie: "Yes, if you need a detailed explanation of the fiscal impact, I would defer my remarks to Representative Shinpoch because he handled it in Ways and Means - Appropriations."

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Amen.

Mr. Amer: "I was trying to determine this \$1.6 million that Representative Maxie quoted. Is this for the next biennium, or is this to pick up some back pensions?"

Mr. Shinpoch: "The \$1.6 million is for the last year of the biennium, and if you were funding the full biennium it would be \$3.2 million, but it does not become effective until July 1, 1974."

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Shinpoch, the way I understand this bill just from the short time I have looked at it here, is that it puts these employees on the same level of benefits as under the public employees retirement system, which is sixty percent of the two highest years. And from what Representative Morrison said here a few days ago, I understand that system is fully funded, on the basis of the present--in other words, it has a 40-year plan that makes it fully funded with a six percent contribution from the employee and seven percent from the employer. Does this have that same condition in regard to funding as the public employee system?"

Mr. Shinpoch: "Representative Flanagan, I'm not sure that I can answer your question totally. On the pass-out sheet you received that is on your desk, you probably noted that both the employee and the employer contribution for those people under age 35 is five percent; between 35 and 50 it is seven and one-half percent, and over age 50, it is ten percent. My understanding is that this fully funds the system--that that is what it is based upon."

Mr. Morrison spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2119 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charney, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Paris.

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.

## SENATE AMENDMENTS TO HOUSE BILL

April 15, 1973

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 445 with the following amendments:

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 page 3, section 3, line 19 after "chapter" insert "related to sex discrimination"

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"

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 as provided by the commission before further action on the complaint is taken by the commission."

Renumber the remaining sections consecutively and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Adams, the House concurred in the Senate amendments to Substitute House Bill No. 445.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 445 as amended by the Senate.

Mr. Adams spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Curtis.

Mr. Curtis: "Dr. Adams, you are correct. This is a most meritorious piece of legislation concerning the hiring of the handicapped. My concern is that the legislative intent be properly established. There are, inherent in this bill, some things which may very well present problems to employers as they attempt to attract and hire these handicapped people. For instance, the possibility that in doing so, a related claim regarding workmen's compensation, etc., might lead to higher premiums and this sort of thing. That is not my understanding of legislative intent. The intent is to make it easier to do a better job, etc. in hiring these people. I am wondering (excuse me for taking so long to ask the question) if: (1) That is your understanding of the intent, and (2) if you feel as I do (I hope you do) that we really need to look very, very carefully and further into this and possibly some type of legislative study--I don't know which committee would concern itself, but this area does require some further study."

Mr. Adams: "Yes, I think that is true, Representative Curtis. I think though, if you read the amendment that it does take care of the insurance situation pertaining to accident, health and life insurance. I think it is pretty well taken care of, but I would agree with you that we should study this further."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 445 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen,

Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.  
Not voting: Representative Paris.

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 Mr. Charette, all bills passed by the House since the last motion to transmit were ordered transmitted immediately to the Senate.

#### INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2458, by Committee on Commerce (Originally sponsored 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.

To Committee on Commerce.

ENGROSSED 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.

To Committee on State Government.

ENGROSSED SENATE BILL NO. 2762, by Senator Mardesich:

AN ACT Relating to state government; adding a new section to chapter 43.79 RCW; and declaring an emergency.

#### MOTIONS

On motion of Mr. Charette, the rules were suspended, Engrossed Senate Bill No. 2762 was advanced to second reading to be considered immediately.

## SECOND READING

ENGROSSED SENATE BILL NO. 2762, by Senator Mardesich:

Providing a method for hiring certain supervisory employees in the department of social and health services.

The bill was read the second time.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2762 was placed on final passage.

Mr. Charette spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2762, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Savage.

Not voting: Representative Paris.

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.

## MOTIONS

On motion of Mr. Charette, Engrossed Senate Bill No. 2762 was ordered transmitted immediately to the Senate.

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

## SECOND READING

SENATE BILL NO. 2353, by Senators Grant, Gardner and Canfield (by Secretary of State request):

Changing the format of ballot titles and petitions.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendment see Journal for thirty-first day, Ex. Sess., April 8, 1973.)

The bill was read the second time.

On motion of Mr. King, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2353 as amended by the House, was placed on final passage.

Representatives King and Brown spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2353 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 5; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Julin, Kuehnle, Pardini, Pullen, Schumaker.

Not voting: Representative Paris.

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.

#### MOTION

Mr. Thompson moved that ENGROSSED SENATE BILL NO. 2866 be placed at the top of the second reading calendar and considered immediately.

#### POINT OF ORDER

Mr. Moon: "Mr. Speaker, earlier in the session we had a bill that had gone through the Revenue Committee and had a fiscal impact that was high enough to require that

Rule 81 be put into effect. This bill, Senate Bill No. 2866, falls within that same classification, and I would cite Rule 81 that says: 'That all bills, memorials, and resolutions, referred to the subcommittees on (a) Appropriations or (b) Revenue and Taxation of the Ways and Means Committee may be acted upon by the subcommittee concerned and those signed by a majority of the membership of such subcommittee shall be reported back to the House with recommendation of such subcommittee reported thereon, except that the Omnibus Appropriation Bill, Supplemental Appropriation Bill, and any bill containing an appropriation with a financial impact over a four year period in excess of ten million dollars and any bill estimated to raise or lower a revenue source by five million dollars or more over a four year period shall be acted upon and reported by the whole Ways and Means Committee'."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "In connection with your point of order, Representative Moon, it appears to be well taken. The Speaker understands that the Ways and Means Subcommittee on Revenue considered Engrossed Senate Bill No. 2866. On the basis of Rule 81, it appears that the entire Ways and Means Committee should have acted upon it on the basis of the revenue impact. Your point of order is well taken."

Mr. Bagnariol explained the procedure in committee in the consideration of Engrossed Senate Bill No. 2866.

#### PARLIAMENTARY INQUIRY

Mr. Thompson: "Mr. Speaker, what is the status of Engrossed Senate Bill No. 2866?"

The Speaker (Mr. O'Brien presiding): "Well, I would say it is probably in dead center right now unless you make a motion."

Mr. Thompson: "Mr. Speaker, is this bill before the Ways and Means Committee?"

The Speaker (Mr. O'Brien presiding): "It would appear that it is necessary for you to make a motion to rerefer Engrossed Senate Bill No. 2866 to the Committee on Ways and Means."

#### MOTION

On motion of Mr. Thompson, Engrossed Senate Bill No. 2866 was rereferred to the Committee on Ways and Means.

#### 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.

On motion of Mr. Brown, the following amendment was adopted:

On page 6, section 3, lines 7 and 8 after "to" strike "10 U.S.C. sections 3911 or 3914" and insert: "Title 10 United States Code"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2570 as amended by the House, was placed on final passage.

Mr. Morrison spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I don't mean to take you by surprise, Representative Shinpoch, but I note the provisions in this one on page 6 that says in no event shall the maximum exceed 'seventy-five percent of the member's average final salary.' I thought the criterion we were using in these matters was sixty percent. I would ask you to comment on that."

Mr. Shinpoch: "I would defer the question to Representative Bagnariol."

Mr. Bagnariol: "Well, you are right--this does carry a seventy-five percent maximum benefit rate. The state patrolmen are at two percent per year. To reach the seventy-five percent, they would have to stay thirty-seven and one-half years in the system. Because they can retire after twenty-five years of service, the potential of reaching seventy-five percent is relatively small. Probably ninety-nine percent of these people will retire after thirty years of service and sixty percent. Prior to the enactment of this piece of legislation, there was no limit. They could have stayed as long as fifty years and collected one hundred percent."

Representatives Douthwaite and Bagnariol spoke in favor of the bill and Representative Pardini spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2570 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler,

Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Pardini, Rabel, Shinpoch.

Not voting: Representative Paris.

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.

#### MESSAGE FROM THE SENATE

April 14, 1973

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 105, and asks the House for a conference thereon, and the President has appointed as members of said Conference Committee: Senators Grant, Donohue and Lewis (Harry), and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Conner, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Joint Resolution No. 105.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) appointed Representatives King, Gallagher and Barden as members of the Conference Committee on Engrossed Substitute Senate Joint Resolution No. 105.

#### MOTION

Mr. Thompson moved that the Committee on Ways and Means be relieved of ENGROSSED SENATE BILL NO. 2866, and that it be placed on the calendar for second reading.

Mr. Moon spoke against the motion, and Mr. Ceccarelli spoke in favor of it.

Mr. Moon spoke again in opposition to the motion.

#### PARLIAMENTARY INQUIRY

Mrs. Valle: "Mr. Speaker, please explain to us what an 'aye' vote means and what a 'no' vote means on this particular motion."

The Speaker (Mr. O'Brien presiding): "The motion has been made to relieve the Committee on Ways and Means of Engrossed Senate Bill No. 2866 and the bill be placed on the calendar for second reading. An 'aye' vote means you are in favor of placing Senate Bill No. 2866 on the calendar for second reading. A 'no' vote means that it remains in committee."

Mr. Chatalas spoke in favor of the motion, and Mr. Kelley spoke against it.

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

Mrs. Wojahn demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Thompson that the Committee on Ways and Means be relieved of Engrossed Senate Bill No. 2866, and that it be placed on the calendar for second reading, and the motion was carried by the following vote: Yeas, 68; nays, 29; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Eng, Fortson, Freeman, Garrett, Gaspard, Gilleland, Hansen, Hansey, Hendricks, Hurley, Jastad, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kuehne, Laughlin, Leckenby, Lu ders, Martinis, Matthews, Maxie, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Parker, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Bausch, Beck, Bluechel, Charnley, Ehlers, Ellis, Erickson, Flanagan, Gaines, Gallagher, Goltz, Haussler, Hayner, Hoggins, Johnson, Kelley, Kraabel, Lysen, May, Moon, North F., Perry, Savage, Valle, Van Dyk, Williams, Wojahn, Zimmerman.

Not voting: Representative Paris.

#### SECOND READING

ENGROSSED SENATE BILL NO. 2866, by Senators Donohue and Odegaard:

Relating to revenue and taxation.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal for thirty-sixth day, Ex. Sess., April 13, 1973.)

The bill was read the second time.

On motion of Mr. Randall, the committee amendments to the body of the bill were adopted.

Mr. Douthwaite moved adoption of the following amendment by Representatives Douthwaite and Charnley:

On page 3, following section 2, add the following new sections:

"NEW SECTION. Sec. 3. For purposes of this chapter:

(1) 'Barrel' shall mean forty-two U.S. gallons;  
(2) 'Person' shall mean any individual, firm, partnership, company, association, joint venture or corporation;

(3) 'Department' shall mean the department of ecology of the state of Washington;

(4) 'State' shall mean the state of Washington;

(5) 'Oil' or 'oils' shall mean oil including gasoline, crude oil, fuel oil, diesel oil, heating or stove oil, lubricating oil, oily sludge, or similar bulk petroleum products;

(6) 'Waste Oil' shall mean the oil-water mixture resulting from hull and tank cleaning;

(7) 'Oil terminal' shall mean any land-based structure, or group of structures, with a capacity of one-thousand barrels or more that is operated for the express purpose of using, processing, storing, transferring or distributing oil. Terminals owned and operated by the federal government and distribution lines of interstate oil terminal pipelines shall not be included in this definition;

(8) 'Processing' or 'processed' shall mean the refining, bottling, canning, cutting of oil, or the manufacture of other substances such as asphalt from oil.

NEW SECTION. Sec. 4. There is levied and there shall be collected from every person a tax for the act or privilege of storing oil at oil terminals in the state. The amount of the tax shall be one cent per barrel of oil first delivered to any oil terminal for use, processing, storing, transferring or distributing by or from said terminal: PROVIDED, That such tax shall be applied only to the first delivery of oil within the state from any source: PROVIDED FURTHER, That the tax shall not be levied against the first delivery or processing of waste oil, nor upon oil which is stored in the state for less than forty-eight hours and is in the course of transportation to another state or foreign country.

NEW SECTION. Sec. 5. The tax imposed by section 3 of this chapter shall be due and payable as specified in RCW 82.16.070 by any person storing oil at any oil terminal within the state. The department of revenue is authorized to establish procedures for collection of such tax, and to assure that the tax is calculated only on the basis of the first delivery of oil within the state.

NEW SECTION. Sec. 6. All revenues collected pursuant to this chapter shall be transmitted to the state treasurer and shall be credited to the coastal protection fund: PROVIDED, That no revenues so collected shall be expended without subsequent authorization by the legislature.

NEW SECTION. Sec. 7. All of the provisions of chapter 82.03 and 82.32 RCW as they now exist or may hereafter be amended insofar as they are applicable, shall have full force and application with respect to taxes

imposed under the provisions of this chapter.

Sec. 8. Section 5, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.400 are each amended to read as follows:

(1) Moneys in the coastal protection fund shall be disbursed for the following purposes and no others:

(a) All costs of the department related to the enforcement of RCW 90.48.315 through 90.48.365 and RCW 78.52.020, 78.52.125, 82.36.330, 90.48.315, 90.48.370 through 90.48.370 through 90.48.410, 90.48.903, 90.48.906 and 90.48.907 including but not limited to equipment rental and contracting costs.

(b) All costs involved in the abatement of pollution related to the discharge of oil.

(c) The director may allocate a portion of the fund to be devoted to research and development in the causes, effects, and removal of pollution caused by the discharge of oil: PROVIDED, That the director shall in doing so utilize to the fullest extent possible state marine research facilities and their personnel, operated by state institutions of higher education.

(2) Moneys disbursed from the coastal protection fund for the abatement of pollution caused by the discharge of oil shall be reimbursed to the fund whenever:

(a) Moneys are available under any federal program; or

(b) Moneys are available from a recovery made by the department from the person liable for the discharge of oil.

NEW SECTION. Sec. 9. Sections 3 through 8 of this 1973 amendatory act shall constitute a new chapter in Title 82 RCW."

Mr. Douthwaite spoke in favor of the amendment.

The Speaker (Mr. O'Brien presiding): "Mr. Douthwaite, this comprehensive amendment by you and Mr. Charnley has not been distributed to the members. I think we will have to hold further consideration of your amendment until the members have a copy."

POINT OF ORDER

Mr. Brown: "Mr. Speaker, I would like to request a ruling on the scope and object of this amendment. I suggest it is beyond the original intent of the bill."

POINT OF ORDER

Mr. Douthwaite: "Quoting Reed's Rule No. 112, regarding the point of order: 'Both these objections to present action must be presented before consideration has been entered upon. After debate has begun or other action has been taken it is too late.' I had already begun debate, and therefore this point of order is out of order."

RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "In connection with your point of order, Mr. Douthwaite, Reed's Rule No. 112 states as follows: 'TIME FOR MAKING THESE OBJECTIONS.

Both these objections to present action must be presented before consideration has been entered upon. After debate has begun or other action has been taken it is too late.' I will rule that consideration had not been started. Your amendment was offered. We found that the amendment had not been distributed to the members. Therefore we stopped consideration practically immediately. And so your point of order on the timely objection is not well taken."

Mr. Douthwaite: "If I may question that for a moment, sir. I thought I was debating the merits of my amendment. It says here 'after debate has begun or other action has been taken it is too late.' What was I doing if I wasn't debating?"

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "It would appear that Mr. Brown's question on the scope and object of your amendment would be well taken. You have referred here--your amendment is in connection with a tax on oil. It would appear that it is not in relationship to the main proposition which is before us which is a tax on wine and other parts of the original bill--Senate Bill No. 2866. On that basis, it goes beyond the original proposition entirely. It is a different subject matter. On that basis, I am going to rule the amendment out of order."

#### MOTION

On motion of Mr. Randall, the committee amendment to the title was adopted.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2866 as amended by the House, be placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Bill No. 2866 as amended by the House, to third reading and final passage and the motion was carried by the following vote: Yeas, 74; nays, 23; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Eikenberry, Ellis, Eng, Flanagan, Portson, Freeman, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hurley, Jastad, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kuehne, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Van Dyk, Warnke, Wilson, and Mr. Speaker.

Yoting nay: Representatives Amen, Bausch, Beck, Charnley, Douthwaite, Ehlers, Erickson, Gaines, Gallagher, Hayner, Hoggins, Johnson, Kelley, Kraabel, Lysen, May, Moon, Perry, Savage, Valle, Williams, Wojahn, Zimmerman.

Not voting: Representative Paris.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be Engrossed Senate Bill No. 2866 as amended by the House on final passage.

Mr. Moon spoke against passage of the bill.

The Speaker assumed the Chair.

#### POINT OF INQUIRY

Mr. Douthwaite: "I would like to have somebody speak to the fiscal impact of this bill and whether or not we are going to wind up with a balanced budget after we continue to boost retirement programs and then continue to take cuts out of the general fund this way. Therefore, I would like to ask either Mr. Shinpoch or Mr. Bagnariol to tell us, if you would please, Mr. Shinpoch, where we will be after we lose \$5.4 million here, assuming it is going to pass, and the fact that we put through, I think, earlier this evening--what was it--\$1.6 million in the higher education retirement program, and I don't know how much the impact of the state patrol retirement program we ran through was, but it looks to me like we are going to wind up, if we continue this, in the red. Mr. Shinpoch, would you comment on that, please?"

Mr. Shinpoch: "I am getting rather reluctant to get up to respond to your questions. I passed a sheet out to you, to all of you in here tonight, that showed us where we stood, on balance, with those things that we had--the budgets that we had passed in relationship to the governor's budget as of 8:00 p.m. this evening. And that shows that we were, I think, six million, nine thousand, four hundred and four dollars under the governor's budget at that time. I don't know for sure what fiscal note you are looking at on this one. One of them shows \$5 million and another shows something else. But if you consider that is correct, and you take into consideration the higher education pension bill that we just passed, then with both of these things the answer would be 'yes, we are probably in the red.' I, frankly, don't know whether the fiscal note is any good or not."

Representatives Ceccarelli and Curtis spoke in favor of passage of the bill.

#### SPEAKER'S PRIVILEGE

The Speaker: "Representative Curtis, if I may interrupt you, I would like to announce the appointment of legislative interim committees at this time."

## APPOINTMENT OF INTERIM COMMITTEES

The Speaker announced the following interim committee appointments:

Committee on Budget: Representatives Chatalas, Thompson, Shinpoch, Bagnariol, Kopet, Morrison, Curtis and Polk.

Committee on Transportation: Representatives Berentson, Amen, Kraabel, Gilleland, Schumaker, Perry, McCormick, Charnley, Beck, Conner, Gallagher and Kalich.

Ethics Committee: Representatives Paris, Hendricks, Perry and Goltz.

Committee on Public Pensions: Representatives Johnson, Bausch, North (Frances), Kuehnle and Smythe.

Committee on Forest Tax: Representatives Benitz, Julin, Goltz and Thompson.

Oceanographic Commission: Representatives Hansey, Smith and Fortson.

Committee on Statute Law: Representatives Swayze and Smith.

Judicial Council: Representatives Kelley, Knowles and Hayner.

Committee on Expo '74: Representatives Pardini, Luders and May.

Columbia Interstate Compact: Representative Laughlin.

Interstate Compact on Education: Representative Ellis.

Committee on American Revolution Bicentennial: Representatives Beck and Zimmerman.

The House resumed consideration of Engrossed Senate Bill No. 2866 as amended by the House.

Mr. Curtis concluded his remarks in favor of passage of the bill.

The Speaker called on Mr. O'Brien to preside.

Representatives Ehlers, Charnley, Zimmerman, Goltz, Savage and Kraabel spoke against passage of the bill, and Mr. Chatalas spoke in favor of its passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2866 as amended by the House, and the bill passed the House by the following vote: Yeas, 65; nays, 32; not voting, 1.

Voting yeas: Representatives Adams, Bagnariol, Barden, Bauer, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Eikenberry, Ellis, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Hansey, Haussler, Hendricks, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, McCormick, Morrison, Nelson,



Newhouse, North L., O'Brien, Pardini, Parker, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Van Dyk, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Anderson, Bausch, Beck, Charnley, Douthwaite, Ehlers, Eng, Erickson, Flanagan, Gallagher, Goltz, Hansen, Hayner, Hoggins, Hurley, Kelley, King, Kraabel, Lysen, Maxie, May, Moon, North F., Perry, Savage, Shinpoch, Tilly, Valle, Williams, Wojahn, Zimmerman.

Not voting: Representative Paris.

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.

#### EXPLANATION OF VOTE

The reason I voted against Engrossed Senate Bill No. 2866 as amended by the House, is because it would cut the revenue for cities and counties.

ERIC O. ANDERSON, 19th District.

#### MOTION

On motion of Mr. Conner, all bills passed by the House since the last motion to transmit were ordered transmitted immediately to the Senate.

#### SENATE AMENDMENTS TO HOUSE BILL

April 14, 1973

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 174 with the following amendments:

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 new sections."

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." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Williams, the House concurred in the Senate amendments to Substitute House Bill No. 174.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 174 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 174 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 53; nays, 44; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, Moon, Newhouse, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Planagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Matthews, Morrison, Nelson, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representative Paris.

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.

## EXPLANATION OF VOTE

During the rush of business during the last evening of the session, I voted in error in favor of Substitute House Bill No. 174 as amended by the Senate.

I was in the wings discussing problems with state officials and other members and intended instead to vote against \$40.00 per day per diem for members during interim activities.

IRVING NEWHOUSE, 15th District.

## 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 with amendments as changed; and respectively request the powers of Free Conference.

Signed by Senators Sandison and Guess;  
Representatives Perry, Beck and Berentson.

## MOTION

On motion of Mr. Perry, the report of the Conference Committee on Substitute Senate Bill No. 2328 was adopted and the committee was granted the powers of Free Conference.

## MESSAGES FROM THE SENATE

April 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2425 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2621, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2614, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2841, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The Senate has receded from its amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 894, and has passed the bill without the Senate amendment, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2306, and the bill failed to pass as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Thompson moved that the Committee on Ways and Means - Revenue be relieved of HOUSE BILL NO. 186, and that it be placed on the second reading calendar for immediate consideration.

The motion was carried.

## SECOND READING

HOUSE BILL NO. 186, by Representative Randall:

Changing tax levy rates to dollar per thousand dollars of assessed valuation.

The bill was read the second time.

Mr. Randall moved adoption of the following amendment by Representatives Randall and Bagnariol:

On page 1, line 3 strike everything after the enacting clause and insert the following:

"Section 1. Section 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))~~ one dollar 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 revenues 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) One hundred percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

~~((4)))~~ (3) 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 82-04-294 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:

'FORMATION OF METROPOLITAN MUNICIPAL CORPORATION

((\*) 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 percent of the total number of votes cast within the area of said metropolitan municipal corporation at the last preceding state general election. Such general obligation bonds may be authorized in any total amount in one or more propositions and the amount of such authorization may exceed the amount of bonds which could then lawfully be issued. Such bonds may be issued in one or more series from time to time out of such authorization but at no time shall the total general indebtedness of the metropolitan municipal corporation exceed five percent of the value of the taxable property therein, as the term 'value of the taxable property' is defined in RCW 39.36.015. Both principal of and interest on such general obligation bonds may be made payable from annual tax levies to be made upon all the taxable property within the metropolitan municipal corporation in excess of the ((~~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 ((489; Laws of 1967 [chapter 36-93 RCW])) 36.93 RCW all annexations shall be subject to review except as provided for in ((section 44 of chapter 489; Laws of 1967 [RCW 36-93-440])) 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 ((489; Laws of 1967 [chapter 36-93 RCW])) 36.93 RCW in those counties with a review board established pursuant to chapter ((489; 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 ((489; Laws of 1967 [chapter 36-93 RCW])) 36.93 RCW in those counties with a boundary review board established pursuant to chapter ((489; 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 REW 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~~) property tax revenues for any service to be provided in the unincorporated area of the county notwithstanding any other provision of law, including chapter 36.82 RCW and RCW 84.52.050 and 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 fourth-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 47)) 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 out-standing 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 47;)) 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 fire fighters 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
Kititas.....	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 canvas 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 mills~~) 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. 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 same 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)) eighteen cents an acre per year on lands west of the summit of the Cascade mountains and ((seven)) fourteen 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, chapter 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 without any deductions for any indebtedness owed including rentals to be paid. 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 45th 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 the 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 (~~eyetical~~) 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)) fifty 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)) to the state equalized value 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 where in 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 roll 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 value 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 adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue 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. 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 the regular ad valorem tax levies by the taxing districts hereinafter named upon real and personal property shall be as follows: The levy by any county shall not exceed four mills; the levy by or for any school district shall not exceed eight mills; the levy for any road district shall not exceed five mills; and the levy by or for any city or town shall not exceed seven and one-half mills: PROVIDED FURTHER, That counties of the fifth class and under are hereby authorized to levy from four to five and one-half mills for general county purposes and from three and one-half to five mills for county road purposes if the total levy for both purposes does not exceed nine mills: PROVIDED FURTHER, That counties of the fourth and the ninth class are hereby authorized to levy four and one-half mills until such time as the junior taxing agencies are utilizing all the millage available to them.

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.

Sec. 136. Section 28A.41.130, section 223, Laws of 1969 ex. sess. as last amended by section 19, chapter 294, Laws of 1971 ex. sess. 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 state 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 student enrolled, based upon one full school year of one hundred eighty days:

(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 in each of the calendar years 1968 and 1969 the funds otherwise distributable under this section to any school district which is collecting property taxes based upon a levy of less than five-sixths of the maximum levy permissible for the district for such year under RCW 84.52.050 shall be reduced by an amount equal to the difference between the

proceeds of the actual school district tax levy in the district and the proceeds which five-sixths of such maximum permissible levy for the district would produce irrespective of any delinquencies: PROVIDED, FURTHER, That the funds otherwise distributable under this section to any school district for any year other than the calendar years 1968 and 1969 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 ((REW 84-52-050)) section 135 of this 1973 amendatory act 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 percent of the maximum receipts collectible from the high school district fund pursuant to chapter 28A.44 RCW; and

(4) Eighty-five percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(5) Eighty-five percent of the receipts from federal forest revenues distributed to school districts pursuant to RCW 36.33.110; and

(6) 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 ((REW 84-52-050)) section 135 of this 1973 amendatory act bears to the aggregate millage rate for all property tax levies for such school district, both regular and excess; and

(7) Eighty-five percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

Sec. 137. 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 percent of the amount of revenues which would be produced by a levy of ((fourteen)) seven 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 ((REW 84-52-050)) section 135 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 percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(4) Eighty-five 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 ((REW 84-52-050)) section 135 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 percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

Sec. 138. 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 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 ((REW 84-52-050)) section 135 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 percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(4) Eighty-five 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 ((REW 84-52-050)) section 135 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 percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

Sec. 139. 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 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 ((REW 84-52-050)) section 135 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 percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(4) ((~~Eighty-five~~)) Ninety percent of the receipts from federal forest revenues distributed to school districts pursuant to RCW 36.33.110; and

(5) ((~~Eighty-five~~)) Ninety 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 135 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 percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

Sec. 140. 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 135 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. 141. 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 limitations provided in RCW 84.52.050 and section 135 of this 1973 amendatory act relating to levy of taxes within the ((forty)) twenty mill limit. The term 'value of the taxable property' shall have the meaning set forth in RCW 39.36.015.

Sec. 142. 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 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)) section 135 of this 1973 amendatory act.

Sec. 143. 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 and section 135 of this 1973 amendatory act. 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 135 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 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. 144. 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 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 is not necessary to maintain the actuarial soundness of the fund, the levy of said one-half of one mill may be omitted, or the whole or any part of said millage 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 ((REW 84-52-050)) section 135 of this 1973 amendatory act, as now or hereafter amended, to levy and place in the fund an additional tax of one-half of one mill on 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 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 may be omitted, or the whole or any part of such millage may be levied and used for any other municipal purpose.

Sec. 145. 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 the assessed valuation of all taxable property within the county, which levy shall be in addition to that authorized by ((REW 84-52-050)) section 135 of this 1973 amendatory act.

Sec. 146. 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 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 1974 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 1974 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. 147. 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 135 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 135 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. 148. 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 135 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 135 of this 1973 amendatory act.

Sec. 149. Section 8, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.061 are each amended to read as follows:

Any taxing district, as defined in RCW 84.04.120, authorized by provisions of law other than RCW 84.52.052 to levy taxes in excess of the ((~~forty mill~~)) limitation provided for in Article VII, (section 2 of the state Constitution, as amended ((~~by Amendment 47~~))), or in excess of a statutory millage limitation specifically applicable to such district, is hereby authorized to levy taxes in any year in excess of the applicable general limitation contained in RCW 84.52.050, as now or hereafter amended, or in excess of one-half of such specific statutory millage limitation, under the same conditions applicable to a levy

by such district in excess of the (~~forty mill~~) limitation or in excess of such specific statutory millage limitation.

Sec. 150. 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~~) one mill (~~s~~) multiplied by an assessed valuation equal to (~~twenty-five~~) fifty 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 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 one mill 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~~) one percentum limitation provided for in Article VII, section 2 of the state Constitution.

Sec. 151. 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 RCW 84.52.050 and section 135 of this 1973 amendatory act, as now or hereafter amended the statutory millage 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 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 limitation and the denominator of which is the millage limitation for the prior year.

NEW SECTION. Sec. 152. There is added to chapter 28A.41 RCW a new section to read as follows:

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.

NEW SECTION. Sec. 153. In the event of enactment of a constitutional amendment allowing the imposition of a graduated net income tax and upon the enactment of such a net income tax upon corporations, sections 154 and 155 of this 1973 amendatory act shall become effective on the effective date of a graduated net income tax on corporations.

NEW SECTION. Sec. 154. Any public utility business shall be subject to the net income tax, retail sales tax



and use tax, and business and occupation tax as provided by law, but no general public utility tax of the kind imposed by chapter 82.16 RCW, chapter 15, Laws of 1961, as amended, shall be imposed on or after the effective date of the net income tax law. As used herein, public utility business shall mean any water distribution, light and power, telephone and telegraph, or gas distribution business, as defined on January 1, 1973, by chapter 82.16 RCW.

NEW SECTION. Sec. 155. The Washington utilities and transportation commission is directed to review the impact of this section on the earnings of public utilities subject to its jurisdiction, and to issue appropriate orders devising established rates and tariffs, in manner provided by law, if it is determined that earnings are in excess of that which is just, fair, reasonable, and sufficient.

NEW SECTION. Sec. 156. The provisions of RCW 35.21.710 and 35A.82.050 shall not apply to any public utility business excluded from the public utility tax (chapter 82.16 RCW) pursuant to section 154 of this 1973 amendatory act.

NEW SECTION. Sec. 157. 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. 158. 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, 1975, and section 133 (3) shall take effect on January 31, 1974: PROVIDED, FURTHER, That section 137 of this 1973 amendatory act shall not be effective until July 1, 1973, at which time section 136 of this 1973 amendatory act shall be void and of no effect: PROVIDED, FURTHER, That section 138 of this 1973 amendatory act shall not be effective until January 1, 1974, at which time section 137 of this 1973 amendatory act shall be void and of no effect: PROVIDED, FURTHER, That section 139 of this 1973 amendatory act shall not be effective until July 1, 1974 at which time section 138 of this 1973 amendatory act shall be void and of no effect, and section 139 shall be null and void and of no further effect on and after January 1, 1975: PROVIDED, FURTHER, That sections 1 through 8, sections 10 through 132, section 133 (1), (2), (4), and (5), and section 134 shall not take effect until January 1, 1974, at which time sections 135, 136, and sections 140 through 152 shall be void and of no effect.

NEW SECTION. Sec. 159. Sections 135 through 152 of this 1973 amendatory act shall apply to tax levies made in 1973 for collection in 1974, and sections 1 through 134 shall apply to tax levies made in 1974 and each year thereafter for collection in 1975 and each year thereafter."

Mr. Randall moved adoption of the following amendment by Representatives Randall and Bagnariol to the amendment:

On page 132, beginning on line 18 strike sections 153, 154 and 155 through 156 on page 133

Renumber the remaining sections consecutively

Mr. Randall spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Randall spoke in favor of the amendment as amended, and the amendment by Representatives Randall and Bagnariol, as amended, was adopted.

On motion of Mr. Randall, the following amendment to the title by Representatives Randall and Bagnariol was adopted:

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 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 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 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 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 new sections to chapter 84.52 RCW; creating new sections; 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."

House Bill No. 186 was ordered engrossed.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 186 was placed on final passage.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Bluechel.

Mr. Bluechel: "Mr. Randall, will you clarify for legislative intent the details of the 106 percent limit and whether it is in effect for the next taxable year?"

Mr. Randall: "The 106 percent expenditure limit that was referred to was the bill that passed this House in 1971, establishing as 1973 the date where a local government district could not impose more expenditures nor collect more taxes than 106 percent of the previous year. That was the law that passed, and we had suspended that limitation for two years. This bill takes that out now, and implements the 106 percent limit. We did not change the original intent, in effect. Our previous amendment did take off the cap. This now strikes that amended language and maintains the language we set in motion in 1971."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 186, and the bill passed the House by the following vote: Yeas, 73; nays, 24; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner,

Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hendricks, Hoggins, Hurley, Jastad, Jueling, Kalich, Kelley, Knowles, Kopet, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Parker, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Clemente, Flanagan, Gallagher, Haussler, Hayner, Johnson, Julin, Kilbury, King, Kraabel, Kuehnle, Lysen, Moon, Pardini, Patterson, Schumaker, Smythe, Sommers, Zimmerman.

Not voting: Representative Paris.

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.

#### MOTIONS

Mr. Lysen moved that the Committee on Ways and Means be relieved of HOUSE BILL NO. 283 and that it be placed on the second reading calendar for immediate consideration.

Mr. Parker moved that the motion by Mr. Lysen be laid on the table.

The motion by Mr. Parker, to lay the motion by Mr. Lysen on the table, was carried on a rising vote.

#### MESSAGE FROM THE SENATE

April 15, 1973

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2289, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Ellis, the House receded from its amendments to Engrossed Senate Bill No. 2289.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2289 without the House amendments.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2289 without the House amendments, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Laughlin.

Not voting: Representative Paris.

Engrossed Senate Bill No. 2289 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## PERSONAL PRIVILEGE

Mr. Bauer: "Thank you, Mr. Speaker, members of the House: I just wanted to say that we just took off the p.n. (professional negotiations) part of the bill, which was a good bill with the committee amendment on it. And I just want to serve notice that I, as Chairman of the Education Committee, and hopefully the other members will work between now and September, and in September, in getting a new p.n. bill, and I regret that that action happened in the Senate, but it is part of the process."

## MOTION

On motion of Mr. Thompson, the bills passed by the House since the last motion to transmit were ordered transmitted immediately to the Senate.

## MESSAGE FROM THE SENATE

April 15, 1973

Mr. Speaker:

The Senate 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, and the bill, together with said report is herewith transmitted.

Sidney R. Snyder, Secretary.



## 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 Donohue; Representatives Van Dyk and Flanagan.

## MOTION

Mr. Van Dyk moved that the House adopt the report of the Free Conference Committee on Substitute House Bill No. 53.

## MOTION

On motion of Mr. Thompson, Mr. King was excused from further proceedings under the Call of the House.

Mr. Bluechel spoke against the motion by Mr. Van Dyk, and Representatives Flanagan, Leckenby and Randall spoke in favor of the motion.

## POINT OF ORDER

Mr. Kraabel: "I would just like to ask if we could have a little order in here. It is getting awfully hard to hear the remarks."

The Speaker (Mr. O'Brien presiding): "Your point is well taken. The House will be in order."

Mr. Randall concluded his remarks in favor of the motion that the House adopt the report of the Free Conference Committee on Substitute House Bill No. 53.

Representatives Van Dyk and Berentson spoke in favor of the motion, and Representatives Brown, Charnley and Valle spoke against it.

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

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

## ROLL CALL

The Clerk called the roll on the motion by Mr. Van Dyk that the House adopt the report of the Free Conference Committee on Substitute House Bill No. 53, and the motion was carried by the following vote: Yeas, 72; nays, 24; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Benitz, Berentson, Ceccarelli, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, Knowles, Kopet, Kuehne, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Pardini, Parker, Patterson, Polk, Pullen, Rabel, Savage, Schumaker, Smith, Smythe, Swayze, Thompson, Tilly, Van Dyk, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bender, Blair, Bluechel, Brown, Charette, Charnley, Douthwaite, Eng, Gaines, Hoggins, Kelley, Kraabel, Lysen, Matthews, Nelson, North L., Perry, Randall, Shinpoch, Sommers, Valle, Warnke, Williams.

Not voting: Representatives King, Paris.

FINAL PASSAGE OF HOUSE BILL AS AMENDED  
BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 53 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk 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 House by the following vote: Yeas, 73; nays, 23; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barden, Bauer, Bausch, Beck, Benitz, Berentson, Ceccarelli, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Ellis, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, Knowles, Kopet, Kuehne, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Parker, Patterson, Polk, Pullen, Rabel, Savage, Schumaker, Smith, Smythe, Swayze, Thompson, Tilly, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Anderson, Bender, Blair, Bluechel, Brown, Charette, Charnley, Douthwaite, Eikenberry, Eng, Gaines, Hoggins, Kelley, Kraabel, Lysen, Matthews, North L., Perry, Randall, Shinpoch, Sommers, Valle, Williams.

Not voting: Representatives King, Paris.

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 SENATE

April 15, 1973

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 2328, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## 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 to the committee amendments:

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"

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 to page 6, 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 to page 6, 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

Mr. Perry moved that the House adopt the report of the Free Conference Committee on Substitute Senate Bill No. 2328.

Representatives Perry and Kraabel spoke in favor of the motion.

The motion was carried.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 2328 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk 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 House by the following vote: Yeas, 88; nays, 8; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Blair, Cunningham, Douthwaite, Kopet, Kraabel, Lysen, Rabel.

Not voting: Representatives King, Paris.

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.

## SENATE AMENDMENTS TO HOUSE BILL

April 15, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 349 with the following amendments:

On page 2 of the printed bill, on line 2 insert the following sections:

"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 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 incidently 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

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 page 1, line 4 of the title strike "; and making an effective date"

On page 2, section 7, line 8 of the engrossed bill, strike "on April 9, 1973" and insert "immediately" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Martinis, the House concurred in the Senate amendments to Engrossed House Bill No. 349.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 349 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 349 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 8; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barden, Bauer, Curtis, Laughlin, Lysen, Smith, Smythe, Zimmerman.

Not voting: Representatives King, Paris.

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.

#### EXPLANATION OF VOTE

At 1:30 a.m. I accidentally voted "no" on Engrossed House Bill No. 349 as amended by the Senate, when I intended to vote "yes" as I did when it passed the House earlier.

RICK SMITH, 23rd District.

## MESSAGES FROM THE SENATE

April 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2353 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2352,  
SENATE BILL NO. 2435,  
SUBSTITUTE SENATE BILL NO. 2748,  
SUBSTITUTE SENATE BILL NO. 2800,  
SENATE BILL NO. 2803,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 498,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The Senate has receded from its amendment to ENGROSSED HOUSE BILL NO. 933 adding a new paragraph to section 2 of the Day/Clarke amendment, and has passed the bill with the following amendments, with which the House concurred:

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 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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 933 as amended by the Senate.

Mr. Adams spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 933 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yeai: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives King, Paris.

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.

## MESSAGES FROM THE SENATE

April 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2353 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2866 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 186,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The President 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.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The President has 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,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 711 with the following amendments:

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 4, section 2, line 33 after "section" strike all material through "years" on line 5

On page 6, section 2, 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 subsections 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, line 15 following subsection 21 insert the following new subsection:

"(22) '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."

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 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 after "operate cardrooms" and before "and pinball" insert ", including those where Mah Jongg may be played,"

On page 12, section 3, lines 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 therefore 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 11 after "members" strike all the material down through and including "range," on line 12

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, line 17 after "card games," and before "to utilize" insert "including Mah Jongg,"

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, line 3 after "card rooms" and before "and pinball" insert ", including those where Mah Jongg may be played,"

On page 17, section 7, lines 3-4 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 licensee; (ii) the source of all income of the licensee; (iii) the percentage or extent to which income derived from bingo is used for charitable, as distinguished from nonprofit, purposes."

Renumber the remaining subsections consecutively

On page 18, section 7, line 20 after "for" strike the semicolon and insert ": 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

Renumber the remaining subsections consecutively

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 down 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;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

Mr. Charette moved that the House concur in the Senate amendments to Engrossed Substitute House Bill No. 711. 0

Representatives Kuehnle and Charette spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Mr. Kuehnle, in terms of Representative Charette's remarks, this bill is different in this sense: In the bill that we sent over, there was the local option to say 'yes, we want to have gambling.' Under this new bill, the local entities must say 'no, we do not want to have gambling.' So it is different in that sense from the bill we sent over. Is that correct?"

Mr. Kuehnle: "Yes, that is correct, Representative Zimmerman. This was the suggestion offered by the Attorney General."

Mr. Zimmerman: "That was the suggestion by the Attorney General, and that is the difference in what we did vote out of this House in terms of the local option. In other words, it is not under what we would say local option if you have to say 'no' to the statewide law, I would assume."

Mr. Williams spoke against the motion by Mr. Charette to concur in the Senate amendments.

The motion by Mr. Charette that the House concur in the Senate amendments to Engrossed Substitute House Bill No. 711 was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 711 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 711 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 68; nays, 28; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Hendricks, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, Knowles, Kopet, Kuehnle, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Pardini, Parker, Patterson, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Van Dyk, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barden, Berentson, Blair, Bluechel, Charnley, Cunningham, Douthwaite, Eikenberry, Freeman, Gilleland, Haussler, Hayner, Hoggins, Julin, Kraabel, Leckenby, Lysen, Matthews, Nelson, North L., Polk, Pullen, Rabel, Smythe, Valle, Warnke, Williams, Zimmerman.

Not voting: Representatives King, Paris.

Engrossed Substitute House Bill No. 711 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

My vote "no" on the concurrence of the Senate amendments to Engrossed Substitute House Bill No. 711 is based on lack of sufficient time to consider the comprehensive amendments from the Senate.

GEORGETTE VALLE, 31st District.

MOTION

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

## SECOND READING

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.

On motion of Mr. Kalich, the rules were suspended, the second reading considered the third, and Senate Bill No. 2890 was placed on final passage.

Representatives Jastad and Polk spoke in favor of the bill.

Mr. King appeared at the bar of the House.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2890, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinoch, Smith, Snythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Kelley.

Not voting: Representative Paris.

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.

## PARLIAMENTARY INQUIRY

Mrs. Valle: "Mr. Speaker, I have a question. You know--several people have been asking me. I've been slow in voting at times, and you say 'Mrs. Valle.' And I request a serious answer. It is my understanding that when we are on Call of the House that we must vote. And how long do we have to make up our mind on a particular vote? Is it at the discretion of the Speaker? What do the rules really say about this? And I ask because several people have been asking me."

The Speaker (Mr. O'Brien presiding): "Well, Representative Valle, you would have a reasonable length of time to make up your mind. The Speaker would be tolerant and understanding, with a fair amount of patience. However you should try to exercise good judgment. The only problem is that if someone is hesitant, and delaying the legislative process, of course we don't like that part of it, but if you have a real problem..."

Mrs. Valle: "Thank you, Mr. Speaker. It is not my intent to delay the process, and you understand that. I ask this for informational purposes only. I have inserted in the record the reason for my delay on the last vote."

## MOTION

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

## MESSAGES FROM THE SENATE

April 15, 1973

Mr. Speaker:

The President has 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,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2554,  
 SUBSTITUTE SENATE BILL NO. 2586,  
 SENATE CONCURRENT RESOLUTION NO. 136,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 14, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 134,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 134, by Senators Mardesich and Bailey:

Providing for interim operations of the legislature.

On motion of Mr. Charette, the rules were suspended, Engrossed Senate Concurrent Resolution No. 134 was advanced to second reading and read the second time.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Engrossed Senate Concurrent Resolution No. 134 was placed on final passage.

Representatives Charette and Swayze spoke in favor of the resolution.

Engrossed Senate Concurrent Resolution No. 134 was adopted.

#### MESSAGE FROM SENATE

April 15, 1973

Mr. Speaker:

The Senate has passed:

SENATE CONCURRENT RESOLUTION NO. 135,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 135, by Senators Mardesich and Bailey:

Authorizing transfer of interim committee funds.

Mr. Charette moved that the rules be suspended, and Senate Concurrent Resolution No. 135 be advanced to second reading and read the second time.

Mr. Swayze spoke against the motion by Mr. Charette, and Mr. Charette spoke in favor of it.

The motion by Mr. Charette was carried.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 135 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 135, and the resolution was passed by the following vote: Yeas, 89; nays, 8; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams,



Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Gilleland, Kopet, Kraabel, Matthews, Swayze, Zimmerman.

Not voting: Representative Paris.

Senate Concurrent Resolution No. 135, having received the constitutional majority, was declared passed.

#### MOTION

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

#### RESOLUTIONS

HOUSE RESOLUTION NO. 73-134, by Representative Charette:

(1) WHEREAS, The First 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 House after its adjournment and during the interim period between the close of the First Extraordinary Session of the Forty-third Legislature and the next Extraordinary Session;

NOW, THEREFORE, BE IT RESOLVED, That the Chief Clerk and the Assistant Chief Clerk of the House of Representatives are directed to complete the work of the First Extraordinary Session of the Forty-third Legislature, and all details that arise therefrom, including the editing, indexing, and publishing of the journal of the House for the Regular and the First Extraordinary Sessions; and

BE IT FURTHER RESOLVED, That the Sergeant-at-Arms is hereby directed to complete the necessary work of the First Extraordinary Session of the Forty-third Legislature, to see that the House Chamber, adjoining rooms, members' offices, furniture, and equipment are clean and in good order, and to make the necessary inventory of furnishings, fixtures, and supplies; and

BE IT FURTHER RESOLVED, That the Speaker and the Chief Clerk be and they are hereby authorized and directed to retain such additional employees with the approval of the Speaker, as may be necessary to complete the work of the First Extraordinary Session of the Forty-third Legislature and to fix their compensation therefor; and

BE IT FURTHER RESOLVED, That the Speaker and the Chief Clerk be authorized and directed to make out the necessary vouchers upon which warrants shall be drawn for the final payment of all expenses in connection with the closing business and for all other business of the House of Representatives for the First Extraordinary Session of the Forty-third Legislature; and

BE IT FURTHER RESOLVED, That the State Treasurer be, and is hereby directed to draw his warrants for the payment of salaries, per diems, in lieu payments, and reimbursements of and to the members of the House of Representatives, the elected officers of the House of Representatives, and the retained employees each month upon

vouchers signed by the members, officers, or employees and approved by the Speaker of the House of Representatives and by the Chief Clerk of the House of Representatives, and he is authorized to deliver the warrants to the Chief Clerk of the House of Representatives for delivery or mailing to those entitled thereto; and

(2) WHEREAS, It is desirable that certain leaders of the House of Representatives attend the meetings of the Annual National Conference of State Legislative Leaders in order that the benefits of participating therein may inure to the House of Representatives;

NOW, THEREFORE, BE IT RESOLVED, That the Speaker of the House of Representatives, the Speaker Pro Tempore, and such additional members as selected by the Speaker and the Minority Floor Leader, are hereby authorized to attend the 1973 session of the Annual National Conference of State Legislative Leaders; and

BE IT FURTHER RESOLVED, That they be reimbursed for expenses incurred in attending such conferences at the per diem rate provided by RCW 44.04.120, plus mileage to and from the conferences at the rate of ten cents per mile, except that if travel was by means of common carrier then only actual fare may be claimed, said reimbursement to be paid on their vouchers from any appropriation made to the House of Representatives for legislative expense; and

(3) WHEREAS, It is desirable that the Chief Clerk of the House of Representatives and the Assistant Chief Clerk attend the annual meetings of the National Legislative Conference, annually arranged by the Council of State Governments, in order that the House of Representatives of the State of Washington may benefit from the exchange of ideas with the legislative officials of the other states, and such benefits from the participation therein may inure to the House of Representatives in furthering the efficiency and economy of its operation;

NOW, THEREFORE, BE IT RESOLVED, That the Chief Clerk and Assistant Chief Clerk of the House be, and they are hereby authorized to attend the 1973 session of the National Legislative Conference; and

BE IT FURTHER RESOLVED, That they be reimbursed for expenses incurred in attending such conferences at the rate prescribed by RCW 43.03.050, plus mileage to and from the conferences at the rate of ten cents per mile, except that if travel was by means of common carrier then only actual fare may be claimed, said reimbursement to be paid on their vouchers out of funds appropriated for legislative expenses; and

(4) WHEREAS, It is desirable that the members of this House who are or may be members of the executive committee or of the standing committees of the Council of State Governments or its Western Conference shall attend the meetings of said Council or Conference in order that benefits from the participation therein may inure to the House of Representatives;

NOW, THEREFORE, BE IT RESOLVED, That the Speaker of the House of Representatives may authorize the attendance of said committee members at such meetings as may be held in 1973; and

BE IT FURTHER RESOLVED, That they be reimbursed for expenses incurred in attending such meetings at the per

diem rate provided by RCW 44.04.120, plus mileage to and from the meetings at the rate of ten cents per mile, except that if travel was by means of common carrier only actual fare may be claimed, said reimbursement to be paid on their vouchers from any appropriation made to the House of Representatives for legislative expense; and

(5) WHEREAS, New developments in legislative processes and administration are constantly occurring; and WHEREAS, The substantive matters requiring legislative action are becoming increasingly complex; and

WHEREAS, The Council of State Governments and other organizations are offering in the next biennium a variety of training and continuing education courses and meetings on such subjects; and

WHEREAS, The participation in such activities by members of the House and legislative staff will benefit the House in furthering the efficiency and economy of its operation;

NOW, THEREFORE, BE IT RESOLVED, That the Speaker may authorize the attendance of members and staff members at such courses or meetings as he may deem pertinent and may authorize the expenditure of registration or tuition fees and reimbursement for subsistence and travel for such purpose: PROVIDED, That reimbursement for members shall be at the rates prescribed by subdivision (2) of this resolution, and reimbursement for staff members shall be at rates prescribed by subdivision (3) of this resolution;

BE IT FURTHER RESOLVED, That the Speaker is authorized to approve vouchers of the members of the House, covering expenses incurred during the interim for official business of the legislature or in preparation for the sessions of the Legislature and organizational duties in connection therewith, at the per diem rate provided by RCW 44.04.120, for each day or major portion thereof, plus mileage at the rate of ten cents per mile; and

BE IT FURTHER RESOLVED, That the Chief Clerk and the Assistant Chief Clerk be and are hereby authorized and directed, during the interim, and as authorized by the Speaker, to hire any necessary employees, to order necessary supplies, equipment, and printing to enable the House to carry out its work promptly and efficiently, and to accept prefiled bills, memorials, and resolutions as directed by the Rules of the House and by Joint Rules of the Legislature; and

BE IT FURTHER RESOLVED, That the Sergeant-at-Arms be and is hereby authorized and directed, during the interim to prepare the House chambers, committee rooms, and members' offices for use, and to perform other necessary work in connection with the interim; and

BE IT FURTHER RESOLVED, That during legislative interims, the Chief Clerk of the House and the Assistant Chief Clerk shall receive their regular legislative compensation as approved by the Speaker, together with their necessary travel expenses in connection therewith at the rate prescribed by RCW 43.03.050, plus mileage at the rate of ten cents per mile, for the purpose of jointly attending to all duties of their respective offices, including the supervision of the preparation of monthly payrolls, preparation of members' expense vouchers, mailing of warrants, and attending to necessary correspondence and

all other duties in connection with the business of the House of Representatives; and to be in attendance for the purpose of providing advice, counsel, and information when the Chamber is used for such purposes as the YMCA Youth Legislature and the Governor's Industrial Safety Conference; and

BE IT FURTHER RESOLVED, That during legislative interims, the Sergeant-at-Arms of the House shall receive his regular legislative compensation as approved by the Speaker, together with necessary travel expenses in connection therewith at the per diem rate prescribed by RCW 43.03.050, plus mileage at the rate of ten cents per mile, to oversee all House facilities and equipment and any repairs thereto, and be in attendance when the House Chamber is being used for such purposes as the YMCA Youth Legislature and the Governor's Industrial Safety Conference; and

BE IT FURTHER RESOLVED, That after the adjournment of the First Extraordinary Session of the Forty-third Legislature the use of the House Chamber, any of its committee rooms, members' offices, or any of the furniture or furnishings therein, shall not be granted to anyone without the permission of the Speaker and the Chief Clerk of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Facilities Committee direct its attention to the condition of the amplification system in the House Chambers and make such replacements and/or repairs to assure the members of the reliable function thereof; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized to express the sympathy of the House by sending flowers in the event of a bereavement in a Representative's family; and

BE IT FURTHER RESOLVED, That the Chief Clerk be authorized to make out the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn.

Mr. Charette moved adoption of the resolution.

On motion of Mr. Charette, the following amendments to the resolution were adopted:

On page 5, line 5 strike "their regular legislative"  
On page 5, line 18 strike "regular legislative"

Mr. Charette spoke in favor of the resolution.

The resolution as amended was adopted.

HOUSE RESOLUTION NO. 73-125, by Representatives Charette and Rabel:

WHEREAS, The Forty-third Legislature, as many legislatures before it, has been privileged to meet at the seat of government in the beautiful city of Olympia; and

WHEREAS, All in attendance have enjoyed the generous and gracious hospitality of the host city and its residents, as well as the neighboring communities of Tumwater and Lacey; and

WHEREAS, The various city officials, Chambers of

Commerce, churches, hostelries, restaurants, merchants, landlords, and the general populace have extended warm and abundant welcome to all of us; and

WHEREAS, That welcome has reached from winter's snows through cherry blossom time and has ne'er worn thin;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That to all of these and to the many others who have contributed to making our stay in the Capitol City a memorable occasion we do hereby express our sincere thanks and appreciation.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives is hereby requested to forward copies of this Resolution to the honorable mayors and the legislative bodies of Olympia, Tumwater, and Lacey.

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

HOUSE RESOLUTION NO. 73-126, by Representatives Charette and Rabel:

WHEREAS, We, the members of the House of Representatives, have had present with us as co-laborers during the many long hours of the Regular and Extraordinary Sessions of the Forty-third Washington State Legislature, members of the press, radio, and television; and

WHEREAS, The correspondents of the press services and the public journals of the State, and the representatives of the various television channels and radio stations, have presented to the people of the State of Washington a careful account of the proceedings, and have worked, as we have striven to do, for the best interests of the people of the State; and

WHEREAS, An enlightened and informed electorate is a prerequisite to the success of representative government; and

WHEREAS, The aforementioned representatives of the news media have reported the activities of the aforementioned legislative sessions in the highest journalistic traditions thereby fulfilling their obligation to the State's citizenry; and

WHEREAS, The Allied Daily Newspapers of Washington, during the Sessions, has supplied each member of the House with daily complimentary copies of the Washington newspapers of each member's choice;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives extend its gratitude and appreciation for these courtesies, with its praise for good work well done and the good will enjoyed with these honorary members of the House, and with the hope that all may meet again and renew friendships in the next session of the Legislature.

Mr. Charette moved adoption of the resolution.

Representatives Charette and Rabel spoke in favor of the resolution, and the resolution was adopted.

The Speaker resumed the Chair.

## SPEAKER'S PRIVILEGE

The Speaker: "The Speaker notices a former Representative within the bar of the House. Will Representatives Rabel and Douthwaite please escort former State Representative Daniel J. Evans to the rostrum."

His Excellency, The Honorable Daniel J. Evans, Governor of the State of Washington, was escorted to the rostrum by Representatives Douthwaite and Rabel.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

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. 1108.

## MESSAGES FROM THE SENATE

April 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2119, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The Senate 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.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Pardini, Mr. Julin was excused from further proceedings under the Call of the House.

## MESSAGE FROM THE SENATE

April 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2570, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

## PERSONAL PRIVILEGE

Mr. Charette: "Mr. Speaker, I have a small gift here that I want to give to the Governor. If I may come forward, I would like to give it to him."

The Speaker: "Permission granted."

Representative Charette presented Governor Evans with a plaque.

Governor Evans: "Thank you very much, Representative Charette. He presented something to me which I said on January 10th--'that I would rather cross the political aisle than cross the people.' That is only the second most important thing here. The most important was what Mr. Charette said when he stepped forward. He said he wanted to come up 'and give it to me,' which he has been doing all session long.

"I appreciate that very much. While I am here, and while you are waiting, I would like to take just a minute or two and say 'thank you' to all members of this House and all members of the Senate. (I think most of them are over here now.) I think this has been an exceptionally hard-working session--one in which many, many very important pieces of legislation were considered and handled. I have about two hundred of them on my desk right now that I haven't had a chance to look at yet. I will look at them carefully and considerately. But I do appreciate the real cooperation we have had--the sense of trying to accomplish what we are all down here to accomplish. I think we can all leave with a sense of a job that was reasonably well-done, at least. Not all will be equally happy, but I for one, will look forward to the September session because there are still some executive request bills I haven't had passed. If you do come back and do that job, I will be most appreciative. It has been a good session, Mr. Speaker. I have enjoyed very much working with you and working with the members of the House, and we do look forward to seeing you in September."

## PERSONAL PRIVILEGE

Mr. Juelsing: "Point of personal privilege, Mr. Speaker. I wonder if you would momentarily hand the gavel to Representative O'Brien so that I can adequately defend the Governor from what he might do."

The Speaker: "Momentarily."

The Speaker called on Mr. O'Brien to preside.

Mr. Juelsing presented Governor Evans with a hard hat.

Mr. Juelsing: "This hard hat goes back to that night

in 1961."

The Speaker (Mr. O'Brien presiding): "On occasion Mr. Juelsing has acted like you did, Governor Evans, that one evening in 1961. He still hasn't forgotten it. Mr. Juelsing has had that hat for some sort of protection, but I never really got that close."

Governor Evans: "I think he has filled my previous seat very well, and I hope he has given it to you as well as I tried to when I was sitting there. (I needed this a number of years ago, Helmie.)"

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 section:

"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, Berentson and Perry.

MOTION

On motion of Mr. Conner, the report of the Conference Committee on Senate Bill No. 2522 was adopted.

FINAL PASSAGE OF SENATE BILL AS AMENDED  
BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Senate Bill No. 2522 as amended by



the Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2522 as amended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 87; nays, 7; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North P., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bluechel, Brown, Cunningham, Curtis, Gilleland, Matthews, Swayze.

Not voting: Representatives Jueling, Julin, Paris, Rabel.

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.

ANNOUNCEMENT BY THE SPEAKER

The Speaker: "The Speaker wishes to announce for the convenience of the members and to clear up the work that is pending--we will allow up to two days for additional secretarial work. Those two days will be Monday and Tuesday."

The Speaker called on Mr. O'Brien to preside.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 52, by Representative Charette:

Notifying the Governor that the legislature is about to adjourn sine die.

With the consent of the House, the rules were suspended, House Concurrent Resolution No. 52 was advanced to second reading and read the second time.

With the consent of the House, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 52 was placed on final passage and adopted.

## APPOINTMENT OF COMMITTEE

Under the provisions of House Concurrent Resolution No. 52, the Speaker (Mr. O'Brien presiding) appointed as members of the committee to notify the Governor that the legislature was about to adjourn sine die, Representatives Charette, Perry and Swayze.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SUBSTITUTE HOUSE BILL NO. 53,  
 SUBSTITUTE HOUSE BILL NO. 174,  
     HOUSE BILL NO. 186,  
     HOUSE BILL NO. 349,  
 SUBSTITUTE HOUSE BILL NO. 445,  
 SUBSTITUTE HOUSE BILL NO. 498,  
     HOUSE BILL NO. 590,  
 SUBSTITUTE HOUSE BILL NO. 711,  
     HOUSE BILL NO. 847,  
     HOUSE BILL NO. 933,  
     HOUSE BILL NO. 1007,  
 SUBSTITUTE HOUSE BILL NO. 1060,  
     HOUSE BILL NO. 1061,  
     HOUSE JOINT MEMORIAL NO. 21,  
     HOUSE JOINT RESOLUTION NO. 22,  
 HOUSE CONCURRENT RESOLUTION NO. 52,  
     SENATE BILL NO. 2045,  
     SENATE BILL NO. 2096,  
 SUBSTITUTE SENATE BILL NO. 2247,  
 SUBSTITUTE SENATE BILL NO. 2328,  
     SENATE BILL NO. 2361,  
     SENATE BILL NO. 2382,  
     SENATE BILL NO. 2452,  
     SENATE BILL NO. 2491,  
     SENATE BILL NO. 2504,  
     SENATE BILL NO. 2672,  
 SUBSTITUTE SENATE BILL NO. 2736,  
 SUBSTITUTE SENATE BILL NO. 2739,  
     SENATE BILL NO. 2790.

## MESSAGES FROM THE SENATE

April 15, 1973

Mr. Speaker:

Under the provisions of RCW 44.40.010 the President has appointed as members of the Legislative Transportation Committee: Senators Durkan, Guess, Henry, Jolly, Knoblauch, Matson, Peterson (Lowell), Sellar, Walgren, Wanamaker and Washington.

Bill Gleason, Assistant Secretary.

April 15, 1973

Mr. Speaker:

Under the provisions of RCW 44.60.020 the President has appointed as members of the Board of Legislative Ethics: Senators Bailey, Dore, Newschwander and Twigg.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

Under the provisions of RCW 41.52.010 the President has appointed as members of the Public Pension Commission: Senators Fleming, Jones, Lewis (Bob), Ridder and Stortini. Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

Under the provisions of RCW 44.28.010 the President has appointed as members of the Legislative Budget Committee: Senators Atwood, Canfield, Donohue, Gardner, Marsh, Newschwander, Odegaard and Scott. Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SENATE BILL NO. 2522, and has passed the bill as amended by the Conference Committee. Bill Gleason, Assistant Secretary.

April 15, 1973

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2036,  
 SENATE BILL NO. 2119,  
 SENATE BILL NO. 2146,  
 SENATE BILL NO. 2289,  
 SENATE BILL NO. 2522,  
 SENATE BILL NO. 2353,  
 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,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 15, 1973

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2328,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 15, 1973

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 52,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 15, 1973

Mr. Speaker:

The President 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.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
 SUBSTITUTE SENATE BILL NO. 2099,  
 SENATE BILL NO. 2309,  
 SUBSTITUTE SENATE BILL NO. 2717,  
 SUBSTITUTE SENATE BILL NO. 2897.

MESSAGES FROM THE SENATE

April 15, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 76,  
 HOUSE BILL NO. 161,  
 HOUSE BILL NO. 305,  
 SUBSTITUTE HOUSE BILL NO. 323,  
 HOUSE BILL NO. 363,  
 SUBSTITUTE HOUSE BILL NO. 498,  
 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,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 15, 1973

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 445,  
 HOUSE BILL NO. 590,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SUBSTITUTE HOUSE BILL NO. 52,  
 SUBSTITUTE HOUSE BILL NO. 64,  
 HOUSE BILL NO. 160,  
 HOUSE BILL NO. 164,  
 HOUSE BILL NO. 197,  
 SUBSTITUTE HOUSE BILL NO. 208,  
 HOUSE BILL NO. 252,  
 SUBSTITUTE HOUSE BILL NO. 340,  
 HOUSE BILL NO. 361,  
 HOUSE BILL NO. 362,  
 SUBSTITUTE HOUSE BILL NO. 419,  
 HOUSE BILL NO. 420,  
 HOUSE BILL NO. 422,  
 HOUSE BILL NO. 429,  
 HOUSE BILL NO. 435,

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,  
 SUBSTITUTE HOUSE BILL NO. 894,  
 SUBSTITUTE HOUSE BILL NO. 903,  
 HOUSE BILL NO. 928,  
 HOUSE BILL NO. 957,  
 SUBSTITUTE HOUSE BILL NO. 993,  
 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 JOINT RESOLUTION NO. 37,  
 HOUSE CONCURRENT RESOLUTION NO. 18,  
 SENATE BILL NO. 2036,  
 SENATE BILL NO. 2119,  
 SENATE BILL NO. 2146,  
 SENATE BILL NO. 2289,  
 SENATE BILL NO. 2352,  
 SENATE BILL NO. 2353,  
 SENATE BILL NO. 2425,  
 SENATE BILL NO. 2522,  
 SUBSTITUTE SENATE BILL NO. 2554,  
 SENATE BILL NO. 2570,  
 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 BILL NO. 2805,  
 SENATE BILL NO. 2841,  
 SUBSTITUTE SENATE BILL NO. 2854,  
 SENATE BILL NO. 2866,  
 SENATE BILL NO. 2890,  
 SENATE CONCURRENT RESOLUTION NO. 136.

## MESSAGE FROM THE SENATE

April 15, 1973

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 419,

SUBSTITUTE HOUSE BILL NO. 894,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## RESOLUTION

HOUSE RESOLUTION NO. 73-127, by Representative Charette:

BE IT RESOLVED, By the House of Representatives, That a committee consisting of three members of the House, to be named by the Speaker of the House, be appointed to notify the Senate that the first extraordinary session of the Forty-third Legislature is ready to adjourn sine die.

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

## APPOINTMENT OF COMMITTEE

Under the provisions of House Resolution No. 73-127, the Speaker (Mr. O'Brien presiding) appointed Representatives Ceccarelli, Morrison and Parker to notify the Senate that the House of Representatives was about to adjourn sine die.

## MESSAGE FROM THE SENATE

April 15, 1973

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 137,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 137, by Senators Bailey, Atwood, Mardesich and Lewis (Harry):

Extending sine die.

## REPORT OF SPECIAL COMMITTEE

The House members of the committee appointed to notify the Governor that the legislature was about to adjourn sine die appeared before the bar of the House and stated that the committee had so notified the Governor, and that he was willing that the session adjourn sine die.

The report was received and the committee was discharged.

## FINAL PASSAGE OF SENATE CONCURRENT RESOLUTION

With the consent of the House, the rules were suspended, Senate Concurrent Resolution No. 137 was advanced to second reading and read the second time.

With the consent of the House, the rules were suspended, the second reading considered th third, and Senate Concurrent Resolution No. 137 was placed on final passage and adopted.

The Speaker resumed the Chair.

MESSAGE FROM THE SENATE

April 15, 1973

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 108,  
SENATE CONCURRENT RESOLUTION NO. 134,  
SENATE CONCURRENT RESOLUTION NO. 135,  
SENATE CONCURRENT RESOLUTION NO. 137,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE CONCURRENT RESOLUTION NO. 108,  
SENATE CONCURRENT RESOLUTION NO. 134,  
SENATE CONCURRENT RESOLUTION NO. 135,  
SENATE CONCURRENT RESOLUTION NO. 137.

REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Senate that the House was about to adjourn sine die appeared before the bar of the House and reported the committee had performed its mission.

The report was received and the committee was discharged.

COMMITTEE FROM THE SENATE

A committee from the Senate comprised of Senators Bailey, Mardesich and Atwood appeared before the bar of the House to notify the House that the Senate was about to adjourn sine die.

MOTION

On motion of Mr. Charette, reading of the Journal of the Thirty-eighth day of the First Extraordinary Session of the Forty-third Legislature was dispensed with and it was ordered to stand approved.

MOTION

On motion of Mr. Charette, the House of Representatives of the First Extraordinary Session of the Forty-third Legislature adjourned sine die.

LEONARD A SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SECOND EXTRAORDINARY SESSION

## FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, Sept. 8, 1973.

The House was called to order at 9:00 a.m. by the Speaker.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Glen D. Cole of the Evergreen Christian Center of Olympia as follows:

"Our Heavenly Father, as this mini-session of the legislature begins, we look to You for Divine guidance and assistance. Man at his best, Lord, is weak. We confess that today. We thank You, however, for the wonderful thing a human being can be. In fact, You said that we are Your children, if we truly accept Christ as our Savior. We thank You for such a holy relationship. Now, because of Your love for us, fill our minds with vital thought, our bodies with energy, and put vitality into our natures. Help these elected representatives of our state to live with power and vigor today. May this session be a tremendous experience for them all. In such a brief time, assist them in all they need to do. May they truly accomplish things that will benefit and lift. May there be a definite sign of Your hand in the affairs they undertake. May our motto be on this day, and through this session--'With God.' 'With God all things are possible.'

We say 'thank You' right now for all You will do, through us. In the Name of Jesus we pray. Amen."

## MESSAGE FROM THE SECRETARY OF STATE

September 8, 1973

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

I, A. Ludlow Kramer, Secretary of State of the state of Washington and custodian of the Seal of 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 8th day of September, 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 September 8, 1973.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER  
Secretary of State.

PROCLAMATION BY THE GOVERNOR

Office of the Governor

At the time of its adjournment sine die on April 15, 1973, the First Extraordinary Session of the Forty-third Legislature of the State of Washington had pending before it legislation of substantial importance to the citizens of our state. Much of the legislative work needed by the people of this state had not been completed. It is the apparent sentiment of a large number of members of the legislature that the unfinished work can be completed in another extraordinary session over a period of nine consecutive days during the month of September, 1973.

In the event such extraordinary session were called, the subjects of critical concern toward which the Legislature should direct its attention are:

1. Tax Reform. Action is needed to perfect the implementation of tax reform in the event HJR 37 is approved by the voters in November, 1973. A number of corrections and revisions must be made prior to January 1, 1974, in order to clarify portions of the implementing statute and to avoid possible instances of double taxation. Examples of specific changes required include delaying the effective date of special levies voted in 1973 until the final vote on HJR 37 is computed and the adding of definitions and rules of interpretation for administering the statute.

2. School Distribution Formula. It is vital that the school fund apportionment formula be modified to insure that the change in the state funding method which would result in the event of the passage of HJR 37 does not result in unforeseen hardship to any school district.

3. Four Percent County-City Allocation. Mechanics of implementation must be enacted to facilitate the transfer of the 4% allocation to counties and cities under the tax reform implementation statute in the event of passage of HJR 37.

4. Property Tax Increase Limit. A one-year deferral of the 106% property tax lid is required because of inequities which will result from the fact that there are areas in the state where revaluation has not been completed. The 106% limitation was originally enacted and was intended to go into effect only after all properties had been subject to revaluation.

5. Supplemental Security Income. Federal funding for various programs now in existence and administered by the state for aid to the elderly, blind and disabled stand to be completely lost unless changes are enacted before January, 1974, to conform to recent changes in federal legislation relating to such programs.

6. Economic Impact Act. A measure now pending before the legislature designed to alleviate the adverse social and economic effects to individuals and communities resulting from closure of state institutional facilities and programs is desperately needed to help the hundreds of persons affected by the closure of Northern State Hospital. If action on this measure is not taken in September, benefits provided thereunder will be lost for those individuals.

7. Energy Crisis. Anticipated energy shortages in the area of electrical power in addition to gasoline may severely impact the state during the coming winter without the enactment of legislation aimed at easing the shortages through the curtailment of electrical consumption and provision for generating additional capacity in the area.

8. Civil Commitment Law. Implementation of the recently enacted Civil Commitment Law must be delayed because of significant changes which were enacted so that administrative authorities are able to set up all proper procedures to protect fully the rights of all persons affected thereunder.

9. Budget Adjustments. Several adjustments in the state budget must be made before January, 1974, in order to take advantage of federal funds recently made available which could substantially aid a number of programs on the state level.

In addition, other matters of major significance which should be attended to by the Legislature insofar as time constraints of the extraordinary session will permit include: (1) Funding for public transportation to help in alleviating the problems created by our energy crisis; (2) Creation of a statewide planning and administrative structure in the area of transportation to preserve and further technical competence already acquired in this area, and to integrate the various social, economic and environmental considerations; (3) Funding for the Department of Ecology to continue its oil spill monitoring program in Puget Sound; (4) Statewide land use planning and management; and (5) Creation of a Department of Community Development committed to the coordination and furtherance of state and local community development and planning activities.

As a result of the foregoing matters which have not been attended to, 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 eighth day of September, 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 21st day of August, A.D. Nineteen Hundred and Seventy-three.

(SEAL OF THE STATE OF WASHINGTON)

DANIEL J. EVANS  
Governor.

BY THE GOVERNOR;  
A. LUDLOW KRAMER  
Secretary of State

MESSAGE FROM THE SECRETARY OF STATE

September 8, 1973  
TO THE HONORABLE,  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
THE LEGISLATURE OF THE STATE OF WASHINGTON,  
OLYMPIA, WASHINGTON.  
MR. SPEAKER:

I, A. Ludlow Kramer, Secretary of State of the State of Washington and custodian of the Seal of said State, do hereby certify that the membership of the House of Representatives, Forty-third Legislature, First Extraordinary Session has not changed since adjournment sine die as of April 15, 1973, and that all persons serving at that time are entitled to seats in the House of Representatives of the Legislature of the State of Washington at its Second Extraordinary Session commencing on the eighth day of September, A.D., 1973. Further, said persons listed according to legislative districts represented are as follows:

<u>DISTRICT</u>	<u>NAME</u>	<u>COUNTIES REPRESENTED</u>
No. 1	Arthur C. Brown	King, part and Snohomish, part
No. 1	Rick S. Bender	King, part and Snohomish, part
No. 2	Wayne Ehlers	Pierce, part and Thurston, part
No. 2	Phyllis K. Erickson	Pierce, part and Thurston, part
No. 3	Margaret Hurley	Spokane, part
No. 3	Wm. J. S. May	Spokane, part
No. 4	James P. Kuehne	Spokane, part and Whitman, part
No. 4	Walt O. Knowles	Spokane, part and Whitman, part
No. 5	Geraldine McCormick	Spokane, part
No. 5	Edward T. Luders	Spokane, part
No. 6	A. J. "Bud" Pardini	Spokane, part
No. 6	Jerry C. Kopet	Spokane, part
No. 7	Joe D. Haussler	Ferry, Lincoln, Pend Oreille, Stevens and parts of Okanogan and Spokane
No. 7	William "Bill" Schumaker	Ferry, Lincoln, Pend Oreille, Stevens and

		parts of Okanogan and Spokane
No. 8	Doris J. Johnson	Benton and Yakima, part
No. 8	Max Benitz	Benton and Yakima, part
No. 9	Otto Amen	Adams, Asotin, Garfield, and parts Columbia, Grant and Whitman
No. 9	E. G. "Pat" Patterson	Adams, Asotin, Garfield, and parts Columbia, Grant and Whitman
No. 10	Simeon R. "Sim" Wilson	Island and Snohomish, part
No. 10	Eleanor Fortson	Island and Snohomish, part
No. 11	A. N. "Bud" Shinpoch	King, part
No. 11	John Bagnariol	King, part
No. 12	Robert "Bob" Curtis	Chelan, Douglas and parts of Grant and Okanogan
No. 12	Earl F. Tilly	Chelan, Douglas and parts of Grant and Okanogan
No. 13	S. E. "Sid" Flanagan	Kittitas and parts of Grant and Yakima
No. 13	Frank "Tub" Hansen	Kittitas and parts of Grant and Yakima
No. 14	Donald G. Garrett	Yakima, part
No. 14	Edward G. Ellis	Yakima, part
No. 15	Irving Newhouse	Yakima, part
No. 15	Sid W. Morrison	Yakima, part
No. 16	Jeannette C. Hayner	Franklin, Walla Walla, and Columbia, part
No. 16	Charles D. Kilbury	Franklin, Walla Walla, and Columbia, part
No. 17	Gene Laughlin	Klickitat, Skamania and Clark, part
No. 17	Harold S. Zimmerman	Klickitat, Skamania and Clark, part
No. 18	Alan Thompson	Cowlitz, part and Clark, part
No. 18	William "Bill" Paris	Cowlitz, part and Clark, part
No. 19	Robert L. "Bob" Charette	Grays Harbor and Pacific, part
No. 19	Eric O. Anderson	Grays Harbor and Pacific, part
No. 20	Elmer Jastad	Lewis, Wahkiakum and parts of Cowlitz, Pacific and Thurston
No. 20	Hugh Kalich	Lewis, Wahkiakum and parts of Cowlitz, Pacific and Thurston
No. 21	Dale E. Hoggins	Snohomish, part
No. 21	Gary A. Nelson	Snohomish, part
No. 22	John L. Hendricks	Thurston, part
No. 22	Delone "Del" Bausch	Thurston, part

No. 23	Rick Smith	Kitsap, part
No. 23	Robert Randall	Kitsap, part
No. 24	Paul H. Conner	Clallam, Jefferson, Mason and Thurston, part
No. 24	Charles R. Savage	Clallam, Jefferson, Mason, and Thurston, part
No. 25	Leonard "Len" Sawyer	King, part and Pierce, part
No. 25	Marc Gaspard	King, part and Pierce, part
No. 26	C. W. "Red" Beck	Kitsap, part and Pierce, part
No. 26	Thomas A. Swayze, Jr.	Kitsap, part and Pierce, part
No. 27	Lorraine Wojahn	Pierce, part
No. 27	A. A. Adams	Pierce, part
No. 28	Helmut L. Jueling	Pierce, part
No. 28	Richard J. Kelley	Pierce, part
No. 29	P. J. "Jim" Gallagher	Pierce, part
No. 29	Mike Parker	Pierce, part
No. 30	Frank J. Warnke	King, part
No. 30	Robert E. "Bob" Gaines	King, part
No. 31	Georgette Valle	King, part
No. 31	King Lysen	King, part
No. 32	Al Williams	King, part
No. 32	Robert A. Perry	King, part
No. 33	John E. "Jack" Cunningham	King, part
No. 33	Paul Barden	King, part
No. 34	Bill Leckenby	King, part
No. 34	Dave Ceccarelli	King, part
No. 35	John L. O'Brien	King, part
No. 35	William "Bill" Chatalas	King, part
No. 36	Helen Sommers	King, part
No. 36	Kenneth O. Eikenberry	King, part
No. 37	John Eng	King, part
No. 37	Peggy Joan Maxie	King, part
No. 38	Richard "Dick" King	Snohomish, part
No. 38	John Martinis	Snohomish, part
No. 39	Art Clemente	King, part and Snohomish, part
No. 39	Charles Moon	King, part and Snohomish, part
No. 40	Don Hansey	San Juan, Skagit and Whatcom, part
No. 40	Duane L. Berentson	San Juan, Skagit and Whatcom, part
No. 41	Axel Julin	King, part
No. 41	William Polk	King, part
No. 42	H. A. "Barney" Goltz	Whatcom, part
No. 42	Dan Van Dyk	Whatcom, part
No. 43	John Rabel	King, part
No. 43	Jeff Douthwaite	King, part
No. 44	Donn Charnley	King, part
No. 44	Lois North	King, part
No. 45	Alan Bluechel	King, part
No. 45	Gary Lee Matthews	King, part
No. 46	Paul Kraabel	King, part
No. 46	E. Scott Blair	King, part

No. 47	Kent Pullen	King, part
No. 47	Frances C. North	King, part
No. 48	James E. Gilleland	King, part
No. 48	John D. Jones	King, part
No. 49	Albert Bauer	Clark, part
No. 49	Dick Smythe	Clark, part

IN TESTIMONY WHEREOF, I have set my hand and affixed hereto the Seal of the State of Washington. Done at the Capitol at Olympia, this the date of September 8, 1973.  
(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER  
Secretary of State.

The Clerk called the roll and all members were present except Representative Kopet who was excused.

#### RESOLUTION

HOUSE RESOLUTION NO. 73-145, by Representative Charette:

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

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

#### APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of House Resolution No. 73-145, the Speaker appointed Representatives Newhouse, Moon and Chatalas to notify the Senate that the House is organized and ready to do business.

#### RESOLUTION

HOUSE RESOLUTION NO. 73-146, by Representative Charette:

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

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

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

## INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 55, by Representative Charette:

Notifying the Governor of the beginning of Session.

On motion of Mr. Charette, the rules were suspended, House Concurrent Resolution No. 55 was advanced to second reading and read the second time.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 55 was placed on final passage and adopted.

## APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of House Concurrent Resolution No. 55, the Speaker appointed Representatives Thompson, O'Brien and Swayze to notify the Governor, jointly with the committee from the Senate, that the Legislature is organized and ready for business.

## INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 56, by Representative Charette:

Referring to reintroduction of legislation, second extraordinary session.

On motion of Mr. Charette, the rules were suspended, House Concurrent Resolution No. 56 was advanced to second reading and read the second time.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 56 was placed on final passage and adopted.

## REPORT OF SPECIAL COMMITTEE

The special committee, consisting of Representatives Chatalas, Moon and Newhouse, appointed to notify the Senate that the House was organized and ready for business, appeared before the bar of the House and reported that the Senate had been notified.

The report was received and the committee was discharged.

## MOTION

On motion of Mr. Charette, House Concurrent Resolution No. 55 and House Concurrent Resolution No. 56 were ordered transmitted immediately to the Senate.

## MESSAGE FROM THE GOVERNOR

September 8, 1973

TO THE HONORABLE  
THE SENATE AND THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

The convening of the 2nd Extraordinary Session of the 43rd Legislature presents a unique challenge. Those of us in the legislative and executive branches of government have an opportunity to demonstrate to the people of this state that we can conduct public affairs with efficiency and dispatch while at the same time the needs of the people are being met. We can show that representative government can and does work. In a time when the popular regard for the governmental process seems to be at a low ebb, this challenge is one which must be met.

While the state of the state is good, there is much to be done during this session. I believe there is general agreement among legislators and between the legislative and the executive as to the key issues which confront us, both budgetary and substantive. These matters are now before you and need not again be presented by me. The entire executive branch of government, the staff of the Office of the Governor and I, personally, are looking forward to working with you during the nine days of this extraordinary session. I am confident that on September 16 we will be able to say to the people of Washington that we wisely and properly conducted their business here in Olympia.

Sincerely,  
DANIEL J. EVANS  
Governor.

## COMMITTEE FROM THE SENATE

Senators Grant, Fleming and Murray appeared at the bar of the House and reported that the Senate was organized and ready for business.

The committee retired.

## REPORT OF SPECIAL COMMITTEE

The special committee, consisting of Representatives O'Brien, Thompson and Swayze, appointed under the provisions of House Concurrent Resolution No. 55 to notify the Governor, jointly with a committee from the Senate, that the legislature is organized and ready for business, appeared before the bar of the House and reported that the Governor had been notified.

## RESOLUTION

HOUSE RESOLUTION NO. 147, by Representative Charette:

BE IT RESOLVED, That the permanent house rules of the forty-third Legislature shall be adopted by this House as permanent rules of the House of Representatives, Second Extraordinary Session, forty-third Legislature, with the



following amendments:

Rule 19. Petitions, memorials or other papers addressed to the house may be presented by the speaker or any member, and shall not be debated or decided on the day of their being first read unless the house shall direct otherwise. Floor resolutions shall be on file with the chief clerk for at least ((24 hours)) 12 hours prior to being read, and shall not be voted thereon until the next working day after introduction. ((and)) The members shall be furnished with copies of the same by the chief clerk.

Rule 20. (1) All bills shall be introduced on or before the thirty-sixth day of the regular day of a regular session except revenue and taxation bills and executive request bills which shall be introduced on or before the fiftieth day of a regular session and except as the legislature shall direct by a vote of two-thirds of all 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. The time limitation for introduction of bills shall not apply to substitute bills reported by standing committees for bills pending before such committees.

(2) Introduction of bills by departmental request shall be limited to the first twenty days of the session unless the house shall otherwise direct by a vote of two-thirds of all the members elected to the house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session.

(3) For the second extraordinary session of the forty-third legislature subject requests for drafting will be accepted by the Office of the Code Reviser until 5:00 p.m. on the fourth legislative day (September 11, 1973). Bills produced from the above subject requests shall be accepted by the chief clerk until noon daily for introduction the next legislative day.

Rule 24. Every bill shall be read on three separate days unless the house deems it expedient to suspend this rule: PROVIDED, That during the second extraordinary session of the forty-third legislature this rule may be waived by a constitutional majority of the members of the house of representatives.

Rule 40. The speaker shall call the house to order each day of sitting at ((9:30)) 10:00 a.m., unless the house shall have adjourned to some other hour.

Rule 51. No member shall speak more than twice on the same question without leave of the house: PROVIDED, That the chairman of the committee or the mover of the question may close the debate except as provided in Rule 55: PROVIDED FURTHER, That no member shall speak longer than ten minutes without consent of the house.

After the fiftieth day no member shall speak more than once on the same question without leave of the house: PROVIDED, That the chairman of the committee or the mover of the question, may close the debate except as provided in Rule 55: PROVIDED FURTHER, That no member shall speak more than three minutes without the consent of the house.

After the fifth legislative day of the second extraordinary session of the forth-third legislature no member shall speak more than three minutes on the same subject without consent of the house: PROVIDED, That the

chairman of the committee or the mover of the question may close debate except as provided in Rule 55.

Rule 55. The previous question upon all recognized motions or amendments which are debatable may be ordered by two-thirds of the members present, and shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered: PROVIDED, HOWEVER, That one of the sponsors of a bill, memorial, or resolution, or, in his stead, the chairman of the committee, when the measure is on final passage or when the motion to postpone indefinitely is pending, may have the privilege of closing debate after the previous question has been ordered:

4. PROVIDED, HOWEVER, That during the second extraordinary session of the forty-third legislature the House Rules Committee may, by a majority vote, set a time limit for consideration of specific bills on second and third reading; after that time limit a majority of the members of the House may demand the previous question.

Rule 70. Notice of a motion for reconsideration on the final passage of bills may be made only on the day the vote to be reconsidered was taken.

A motion to reconsider can be made only by a member voting on the prevailing side.

An affirmative or negative vote on the final passage of bills may be reconsidered only on the next working day after such vote has been taken: PROVIDED, That during the second extraordinary session of the forty-third legislature reconsideration can be had only on the day the vote to be reconsidered was taken.

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

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

#### Standing Committees

Rule 79. The standing committees of the House shall be as follows:

1.	Agriculture.....	11
2.	Commerce.....	18
3.	Constitution and Elections....	11
4.	Ecology.....	16
5.	Education.....	18
6.	Financial Institutions.....	15
7.	Higher Education.....	((45)) 14
8.	Judiciary.....	12
9.	Labor.....	((44)) 12
10.	Local Government.....	20
11.	Natural Resources.....	15
12.	Parks and Recreation.....	10
13.	Rules.....	16
14.	Social and Health Services....	19
15.	State Government.....	16
16.	Transportation and Utilities..	26
17.	Ways and Means.....	43
	Appropriations.....	25
	Revenue.....	19

Rule 84. The House shall have ((twenty-four hours)) twelve hours from the time of receipt to consider reports

from a free conference committee and shall not vote thereon until the ((twenty-four hour period shall have elapsed)) next working day.

Mr. Charette moved adoption of the resolution.

Mr. Swayze moved adoption of the following amendment to the resolution:

On page 2, line 30 delete the amendment to Rule 24

Representatives Swayze and Newhouse spoke in favor of the amendment, and Representative Charette spoke against it.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Charette, important to this discussion of this particular rule change is the question: Have we in fact now introduced all the measures which were alive and before this body at the conclusion of the last legislative session?"

Mr. Charette: "Representative Morrison, I can't give you an absolute 'yes' to that question, and the reason that I can't is that I am sure both you and I would agree that we should not adopt any rule that would tell any member or this whole body that they can't introduce legislation while we are in session. Now I think that almost all, and probably all of the matters that are going to be considered, have been introduced. But because in this respect you are asking me to speak for 97 other people, I can't give you a positive answer."

Mr. Morrison: "I don't think you quite understood the question, Representative Charette. Were all the measures that were before us and not passed throughout the legislative process reintroduced now due to the passage of House Concurrent Resolution No. 56 of which you are prime sponsor?"

Mr. Charette: "Yes."

#### PARLIAMENTARY INQUIRY

Mr. Morrison: "Mr. Speaker, I would ask you to refer to the Constitution of the State of Washington, please, Article II, section 36. It relates precisely to the rule that is in front of us. The section talks about when bills must be introduced. It points out that this is in fact a deliberative body, and any bill not introduced ten days before the final adjournment of the legislature must be advanced and moved along only by a two-thirds vote of the body."

The Speaker: "I think, Representative Morrison, if you continue reading the remainder of the constitutional amendment, section 36, it says '...unless the same be at a special session.' I am under the impression that we are in

a special session."

Mr. Pardini spoke in favor of the amendment by Mr. Swayze to House Resolution No. 147, and Mr. O'Brien spoke against it.

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

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Swayze to House Resolution No. 147, and the amendment was lost by the following vote: Yeas, 42; nays, 54; not voting, 2.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Jueling, Julin, Kraabel, Kuehnle, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Cunningham, Kopet.

Mr. Morrison moved adoption of the following amendments to House Resolution No. 147:

On page 3, Rule 55, line 14 after "a" strike "majority" and insert "two-thirds"

Representatives Morrison, Swayze and Newhouse spoke in favor of adoption of the amendment, and Mr. Charette spoke against its adoption.

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

Mr. Douthwaite spoke against adoption of the amendment by Mr. Morrison.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Morrison to House Resolution No. 147, and the amendment was lost by the following vote: Yeas, 43; nays, 53; not voting, 2.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Curtis,

Eikenberry, Eng, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kraabel, Kuehnle, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Cunningham, Kopet.

The Speaker stated the question before the House to be the adoption of House Resolution No. 147.

The resolution was adopted.

#### CHANGES IN COMMITTEE ASSIGNMENTS

The Speaker announced that Representative King will be transferred from the Committee on Higher Education to the Committee on Labor.

The Speaker announced that Representative Schumaker had resigned from the Legislative Transportation Committee, and that Representative Patterson had been appointed to the Legislative Transportation Committee.

#### MESSAGES FROM THE SENATE

September 8, 1973

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 55,

HOUSE CONCURRENT RESOLUTION NO. 56,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

September 8, 1973

Mr. Speaker:

In accordance with House Concurrent Resolution No. 56, the following bills are transmitted to the House:

	HOUSE BILL NO.	6,
ENGROSSED SUBSTITUTE	HOUSE BILL NO.	10,
ENGROSSED	HOUSE BILL NO.	14,
ENGROSSED	HOUSE BILL NO.	32,
	HOUSE BILL NO.	49,
	HOUSE BILL NO.	63,
ENGROSSED	HOUSE BILL NO.	87,
	HOUSE BILL NO.	90,
ENGROSSED	HOUSE BILL NO.	97,
	HOUSE BILL NO.	102,
ENGROSSED	HOUSE BILL NO.	114,
ENGROSSED	HOUSE BILL NO.	129,
	HOUSE BILL NO.	138,

ENGROSSED HOUSE BILL NO. 139,  
 HOUSE BILL NO. 142,  
 ENGROSSED HOUSE BILL NO. 150,  
 HOUSE BILL NO. 152,  
 HOUSE BILL NO. 178,  
 HOUSE BILL NO. 183,  
 SUBSTITUTE HOUSE BILL NO. 221,  
 HOUSE BILL NO. 227,  
 HOUSE BILL NO. 242,  
 HOUSE BILL NO. 259,  
 SUBSTITUTE HOUSE BILL NO. 273,  
 ENGROSSED HOUSE BILL NO. 280,  
 ENGROSSED HOUSE BILL NO. 286,  
 ENGROSSED HOUSE BILL NO. 289,  
 ENGROSSED HOUSE BILL NO. 292,  
 ENGROSSED HOUSE BILL NO. 294,  
 ENGROSSED HOUSE BILL NO. 302,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 316,  
 ENGROSSED HOUSE BILL NO. 352,  
 HOUSE BILL NO. 365,  
 ENGROSSED HOUSE BILL NO. 385,  
 ENGROSSED HOUSE BILL NO. 387,  
 HOUSE BILL NO. 394,  
 ENGROSSED HOUSE BILL NO. 399,  
 ENGROSSED HOUSE BILL NO. 415,  
 ENGROSSED HOUSE BILL NO. 417,  
 HOUSE BILL NO. 426,  
 ENGROSSED HOUSE BILL NO. 453,  
 HOUSE BILL NO. 458,  
 ENGROSSED HOUSE BILL NO. 474,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 505,  
 ENGROSSED HOUSE BILL NO. 515,  
 SUBSTITUTE HOUSE BILL NO. 519,  
 HOUSE BILL NO. 523,  
 ENGROSSED HOUSE BILL NO. 530,  
 ENGROSSED HOUSE BILL NO. 549,  
 ENGROSSED HOUSE BILL NO. 556,  
 HOUSE BILL NO. 566,  
 HOUSE BILL NO. 588,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 593,  
 ENGROSSED HOUSE BILL NO. 596,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 597,  
 ENGROSSED HOUSE BILL NO. 607,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 611,  
 ENGROSSED HOUSE BILL NO. 636,  
 ENGROSSED HOUSE BILL NO. 640,  
 ENGROSSED HOUSE BILL NO. 649,  
 HOUSE BILL NO. 663,  
 ENGROSSED HOUSE BILL NO. 706,  
 ENGROSSED HOUSE BILL NO. 726,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 742,  
 ENGROSSED HOUSE BILL NO. 743,  
 ENGROSSED HOUSE BILL NO. 785,  
 ENGROSSED HOUSE BILL NO. 791,  
 ENGROSSED HOUSE BILL NO. 820,  
 ENGROSSED HOUSE BILL NO. 895,  
 ENGROSSED HOUSE BILL NO. 915,  
 HOUSE BILL NO. 946,  
 ENGROSSED HOUSE BILL NO. 966,  
 HOUSE BILL NO. 1006,

HOUSE BILL NO. 1011,  
 ENGROSSED HOUSE BILL NO. 1026,  
 HOUSE BILL NO. 1035,  
 ENGROSSED HOUSE BILL NO. 1044,  
 SUBSTITUTE HOUSE BILL NO. 1049,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1053,  
 ENGROSSED HOUSE BILL NO. 1054,  
 HOUSE BILL NO. 1063,  
 HOUSE BILL NO. 1074,  
 HOUSE JOINT MEMORIAL NO. 7,  
 ENGROSSED HOUSE JOINT MEMORIAL NO. 8,  
 HOUSE JOINT MEMORIAL NO. 11,  
 ENGROSSED HOUSE JOINT RESOLUTION NO. 6,  
 and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### PARLIAMENTARY INQUIRY

Mr. Barden: "Mr. Speaker, the Clerk just read in some bills that were transmitted apparently this morning from the Senate to the House, which I notice are on the calendar, and I wonder--they were apparently not in the custody of the Rules Committee at the time they were voted onto the calendar. Is that proper parliamentary procedure?"

The Speaker: "You are perfectly correct, Representative Barden. The calendar, although set forth as an official calendar, is only an advisory calendar. Therefore we will have to take action to make this a calendar of the day. This was purely for informational purposes to the members of what is being considered to be presented to them this morning. It was just a procedural matter that we had worked out."

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
 HOUSE CONCURRENT RESOLUTION NO. 55,  
 HOUSE CONCURRENT RESOLUTION NO. 56.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1116, by Committee on Commerce. Endorsed by: Representatives Wojahn, Kuehne, Juelling, Gilleland, Williams, O'Brien, Garrett, Gallagher, Jastad, Ceccarelli, Randall and Leckenby:

AN ACT Relating to flammable fabrics; amending section 4, chapter 211, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_); adding a new section to chapter 211, Laws of 1973 1st ex. sess. and to chapter (\_\_\_\_) RCW; defining crimes; and declaring an emergency.

To Committee on Rules.

HOUSE BILL NO. 1117, by Committee on Education. Endorsed by: Representatives Bauer, Ellis, Bender, Brown, Hayner, Smythe, Johnson, Eng, Clemente, Tilly, Ehlers, Fortson and Lysen:

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; repealing section 28A.72.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.010; repealing section 28A.72.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.020; repealing section 28A.72.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.030; repealing section 28A.72.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.050; repealing section 28A.72.060, chapter 223, Laws of 1969 ex. sess., section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060; repealing section 28A.72.070, chapter 223, Laws of 1969 ex. sess., section 4, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.070; repealing section 28A.72.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.080; repealing section 28A.72.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.090; and declaring an emergency.

To Committee on Rules.

HOUSE BILL NO. 1118, by Committee on Local Government. Endorsed by Representatives Blair, Haussler, Kalich, Amen, Paris, McCormick, North (Lois), Laughlin, Nelson, Smythe, Kuehne, Patterson, North (Frances) and Zimmerman:

AN ACT Relating to cities and towns; and amending section 35.39.040, chapter 7, Laws of 1965 as last amended by section 1, chapter 211, Laws of 1969 ex. sess. and RCW 35.39.040.

To Committee on Rules.

HOUSE BILL NO. 1119, by Representatives Beck and Ceccarelli:

AN ACT Relating to the Washington toll bridge authority; and adding new sections to chapter 47.56 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1120, by Representative Kilbury:

AN ACT Relating to daylight saving time; amending section 1, chapter 3, Laws of 1961 as amended by section 1, chapter 14, Laws of 1963 and RCW 1.20.051; and declaring an emergency.



To Committee on State Government.

HOUSE BILL NO. 1121, by Representatives Bagnariol, Morrison, Thompson, Fortson, Beck, Ceccarelli and Douthwaite (by Washington State Teachers' Retirement System request):

AN ACT Relating to the Washington state teachers' retirement system; amending section 9, chapter 189, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_); amending section 3, chapter 189, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_); amending section 6, chapter 151, Laws of 1967 and RCW 41.32.4931; amending section 52, chapter 80, Laws of 1947 as last amended by section 76, chapter 154, Laws of 1973 1st ex. sess. and RCW 41.32.520; amending section 58, chapter 80, Laws of 1947 and RCW 41.32.580; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

MOTION

Mr. Charette moved that the Rules Committee be relieved of the bills listed on the advisory calendar (SUBSTITUTE HOUSE BILL NO. 221, ENGROSSED HOUSE BILL NO. 302, HOUSE BILL NO. 458, SUBSTITUTE HOUSE BILL NO. 519, ENGROSSED HOUSE BILL NO. 785, HOUSE BILL NO. 1006, HOUSE BILL NO. 1011, ENGROSSED HOUSE BILL NO. 1026 and ENGROSSED HOUSE JOINT RESOLUTION NO. 6) and that they be placed on today's third reading calendar.

MOTION

Mr. Newhouse moved to delete SUBSTITUTE HOUSE BILL NO. 519, ENGROSSED HOUSE BILL NO. 785 and ENGROSSED HOUSE BILL NO. 1026 from the motion by Mr. Charette.

Representatives Newhouse and Swayze spoke in favor of the motion, and Mr. Conner spoke against it.

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

REQUEST FOR DIVISION OF QUESTION

Mr. Swayze requested that the question be divided.

MOTION

Mrs. Hurley moved that the question be divided, and that each House bill be considered separately.

The motion by Mrs. Hurley was lost on a rising vote.

POINT OF ORDER

Mr. Swayze: "Rule 60 of the permanent rules of the House, which have now been adopted with the amendments in Resolution No. 147 remained unchanged and provides:

'Any member may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the House.'

"My call for that division of the question which I think fits that rule perfectly was pending and was not ruled on at the time the motion to divide was made. There was business pending before this House. That motion was out of order. My call, I think, under Rule 60 has to be honored by the Chair and the question divided since there are three distinct, substantive propositions involved in the motion."

#### RULING BY THE SPEAKER

The Speaker: "Mr. Swayze, in regard to the point of order you raised, the Speaker rules that the point of order should have been raised prior to the placing of the motion and the action of the House thereon. Therefore the Speaker will rule that the action of the House will stand."

The Speaker stated the question before the House to be the motion by Mr. Newhouse.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Newhouse to delete Substitute House Bill No. 519, Engrossed House Bill No. 785 and Engrossed House Bill No. 1026 from the motion by Mr. Charette, and the motion was lost by the following vote: Yeas, 35; nays, 62; not voting, 1.

Voting yea: Representatives Amen, Benitz, Berentson, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Jueling, Julin, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Rabel, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Kopet.

#### STATEMENT FOR THE JOURNAL

On the motion by Representative Newhouse to not relieve the Rules Committee and place on the calendar several controversial bills, I voted for the motion for these reasons:

(1) The three measures are highly controversial, therefore divisive and force rigid partisanship;

(2) They have not had any consideration in committees since the last session;

(3) They do not fall in the category of top priority, emergency legislation essential for the state--some not possibly able to take effect until late 1974;

(4) Their being listed merely delays action on more vital legislation, such as energy crisis, tax revisions, budget revisions, forest practices, and other subjects listed as priorities by majority leadership in both Houses and the Governor.

HAROLD S. (HAL) ZIMMERMAN,  
17th District.

The Speaker stated the question before the House to be the motion by Mr. Charette that the Rules Committee be relieved of the bills listed on the advisory calendar and that they be placed on today's third reading calendar.

#### REQUEST FOR DIVISION OF QUESTION

Mr. Julin demanded a division of the question.

#### SPEAKER'S INQUIRY

The Speaker: "Division of what question?"

Mr. Julin: "The question before the House, Mr. Speaker, is the motion to relieve the Rules Committee of a number of bills. They embrace very many different subjects, and I am asking that the motion be now divided so we can vote separately."

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

With the consent of the House, Mr. Julin withdrew the demand for a division of the question.

Mr. Eikenberry spoke against the motion by Mr. Charette.

#### POINT OF ORDER

Mr. Charette: "Mr. Speaker, my point of order is that Representative Eikenberry isn't speaking to the motion. He is making a speech about something else, I assume, although I can't understand him."

The Speaker: "Representative Eikenberry, if you could confine your remarks to the motion before us. Will you proceed?"

Mr. Eikenberry concluded his remarks in opposition to the motion by Mr. Charette.

The motion by Mr. Charette was carried.

## THIRD READING

SUBSTITUTE HOUSE BILL NO. 221, by Committee on Judiciary (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, Shinpoch, Warnke, Bagnariol, McCormick, Rabel, Jastad, Ceccarelli, Chatalas, Van Dyk, Bender, Curtis, Fortson, Pardini and Tilly):

Making it a crime to resell food stamps and food purchased therewith or to purchase resold stamps or food.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 221, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representative Kopet.

Substitute House Bill No. 221, having received the constitutional 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. 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.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 302, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, King, Moon, Pardini.

Not voting: Representative Kopet.

Engrossed House Bill No. 302, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 458, by Representatives Pardini, Savage, Pullen, Cunningham, Wilson and Hendricks (by Executive request):

Amending the partial benefit formula for unemployment compensation.

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

Mr. Freeman spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 458, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini,

Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.  
Not voting: Representative Kopet.

House Bill No. 458, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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.

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

#### MOTION

Mr. Barden moved that Substitute House Bill No. 519 be rereferred to the Committee on Local Government.

Mr. Barden spoke in favor of the motion.

#### POINT OF ORDER

Mr. Parker: "Mr. Speaker, Mr. Barden seems to be evading the question. That was the purpose of putting the bill on the calendar. If he would like to rerefer it, he should restrict his remarks to returning it to the committee."

The Speaker: "Representative Parker, I think it is well within the context on remarks on a motion to rerefer to tell the body why you think the bill should be rereferred for purposes of amendment. Otherwise the body would be voting rather in the dark."

Mr. Barden concluded his remarks in favor of the motion, and Mr. Haussler spoke against it.

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

Mr. Lysen spoke against the motion by Mr. Barden.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Barden to rerefer Substitute House Bill No. 519 to the Committee on Local Government, and the motion was lost by the following vote: Yeas, 38; nays, 57; not voting, 3.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Cunningham,

Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Jueling, Julin, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Paris, Patterson, Polk, Rabel, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Kalich, Kopet, Pardini.

The Speaker stated the question before the House to be Substitute House Bill No. 519 on final passage.

#### POINT OF INQUIRY

Mr. Barden: "Would Representative Lysen yield to question?"

Mr. Lysen refused to yield to question.

Representatives Barden, Leckenby, Brown and Newhouse spoke against passage of the bill, and Representative Lysen spoke in favor of it.

#### MOTION

Mr. Swayze moved that the rules be suspended and Substitute House Bill No. 519 be returned to second reading for purposes of amendments.

Representatives Swayze and Cunningham spoke in favor of the motion.

#### PARLIAMENTARY INQUIRY

Mr. Morrison: "Pursuant to the rules we have adopted today, I am interested in whether this motion requires a majority or two-thirds vote."

The Speaker: "It was my understanding that Representative Swayze made a motion to suspend the rules, so a motion to suspend the rules would require the two-thirds. (I have been looking to find the rule.)"

The motion by Mr. Swayze was lost on a rising vote.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 519, and the bill passed the House by the following vote: Yeas, 56; nays, 41; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bauer, Bausch, Beck, Bender, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hoggins, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., Perry, Pullen, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Cunningham, Curtis, Eikenberry, Flanagan, Garrett, Hansey, Hayner, Hendricks, Hurley, Juelling, Julin, Kraabel, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Rabel, Schumaker, Smythe, Swayze, Tilly, Warnke, Wilson, Zimmerman.

Not voting: Representative Kopet..

Substitute House Bill No. 519, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 785, by Representatives Conner, Brown, Bausch, Douthwaite, Chatalas and Wojahn:

Increasing the minimum wage.

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

Representative Morrison spoke against passage of the bill and Representatives Conner and Savage spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 785, and the bill passed the House by the following vote: Yeas, 67; nays, 30; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Rabel, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Juelling, Julin, Kuehnle, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Swayze,



Tilly, Wilson, Zimmerman.

Not voting: Representative Kopet.

Engrossed House Bill No. 785, having received the 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

Although earlier this year I voted for this bill, I have changed my mind for the following reasons:

At a time when inflation needs controlling, when the federal government is already dealing with the subject, when Washington State should not put itself in a less competitive position with other states, we should try to "hold the line" on all additional economic factors that press inflation up. Retired people, whose income is fixed, will be adversely affected by anything that will push up costs and prices without a consequent increase in real productivity. Young people need jobs and must get experience. Raising the minimum wage will mean fewer jobs for young people needing job experience. The issue is more political than essential in this priority session.

HAROLD S. (HAL) ZIMMERMAN,  
17th District.

HOUSE BILL NO. 1006, by Representatives Randall, Chatalas and Bagnariol:

Exempting certain personal contracts and athletic or sports franchises from property taxation.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1006, and the bill passed the House by the following vote: Yeas, 70; nays, 26; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Curtis, Ellis, Eng, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk.

Voting nay: Representatives Bauer, Bausch, Blair, Charnley, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Erickson, Fortson, Garrett, Hendricks, Hoggins, Lysen, Moon, North F., Pardini, Shinpoch, Tilly, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kelley, Kopet.

House Bill No. 1006, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1011, by Representatives Flanagan, Randall and Newhouse:

Providing for assessment of livestock upon monthly average stock basis.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1011, and the bill passed by House by the following vote: Yeas, 89; nays, 8; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nays: Representatives Bagnariol, Barden, Douthwaite, Eikenberry, Pardini, Shipoch, Warnke, Wilson.

Not voting: Representative Kopet.

House Bill No. 1011, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Charette, consideration of ENGROSSED HOUSE BILL NO. 1026 and ENGROSSED HOUSE JOINT RESOLUTION NO. 6 was deferred, and they were ordered held for tomorrow's third reading calendar.

On motion of Mr. Charette, HOUSE BILL NO. 706 was rereferred from the Committee on Rules to the Committee on Ways and Means.

On motion of Mr. Charette, HOUSE BILL NO. 487 was rereferred from the Committee on Rules to the Committee on Commerce.

On motion of Mr. Charette, the House advanced to the

eleventh order of business.

On motion of Mr. Charette, the House adjourned until 2:00 p.m., Sunday, September 9, 1973.

DEAN R. FOSTER, Chief Clerk.

LEONARD A. SAWYER, Speaker.

## SECOND DAY

## AFTERNOON SESSION

House Chamber, Olympia, Wash., Sunday, September 9, 1973.

The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Kopet who was excused.

The Speaker called on Mr. O'Brien to preside.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Howard Perry of St. John's Episcopal Church of Olympia.

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

## MESSAGE FROM THE SENATE

September 8, 1973

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 55,

HOUSE CONCURRENT RESOLUTION NO. 56,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1122, by Representatives Shinpoch, Polk and Chatalas (by Legislative Budget Committee request):

AN ACT Relating to the Washington state teachers' retirement system; amending section 58, chapter 80, Laws of 1947 and RCW 41.32.580; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1123, by Representatives Eikenberry, Williams, Freeman, Charnley, Cunningham, Leckenby, Parker, Hendricks, Smith and Tilly:

AN ACT Relating to public records; and amending section 31, chapter 1, Laws of 1973 (Initiative Measure No. 276) and RCW 42.17.310.

## MOTION

Mr. Eikenberry moved that the rules be suspended and House Bill No. 1123 be placed on today's second reading calendar.

Mr. Charette began speaking against the motion.

## POINT OF ORDER

Mr. Eikenberry: "Mr. Speaker, my point of order is that a vote may not be interrupted. A speech is being made by Mr. Charette while we are in the process of voting."

The Speaker (Mr. O'Brien presiding): "Under a suspension of the rules, the rules do state that the proponent of a motion has the right to speak and also anyone that objects has the right to voice his objections. If you desire to speak on behalf of your motion, you have that right. If anyone wants to speak against it, they also have that right."

Mr. Eikenberry: "Well, my point, Mr. Speaker, is that the vote had already been called for and was being taken. Do I understand that we are now interrupting that vote to proceed with debate?"

The Speaker (Mr. O'Brien presiding): "Well, I started to place the motion."

Mr. Chatalas: "Does this require a two-thirds vote?"

The Speaker (Mr. O'Brien presiding): "Yes."

Mr. Eikenberry spoke in favor of the motion, and Mr. King spoke against it.

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

Mr. Juelsing demanded a Call of the House and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Julin and Kopet.

On motion of Mr. Charette, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Eikenberry.

Mr. Julin appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on the motion by Representative Eikenberry to suspend the rules and place House Bill No. 1123 on today's second reading calendar, and the motion was lost by the following vote: Yeas, 43; nays, 54; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smythe, Swayze, Tilly, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representative Kopet.

MOTION

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

House Bill No. 1123 was referred to the Committee on Constitution and Elections.

HOUSE BILL NO. 1124, by Representatives Fortson, Smythe, Bauer, Bender, Charnley, Clemente, North (Frances), Parker and Hansen (by Executive request):

AN ACT Relating to the teachers' retirement system; amending section 6, chapter 151, Laws of 1967 and RCW 41.32.4931; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1125, by Representatives Perry, Charette, Kraabel, Pardini, Ceccarelli and Anderson (by Executive request):

AN ACT Relating to the curtailment of the use of electrical power; creating a new chapter in Title 43 RCW; providing penalties; and declaring an emergency.

To Committee on Transportation and Utilities.

HOUSE CONCURRENT RESOLUTION NO. 57, by Representatives Swayze, Pardini, Morrison, Curtis, Julin, Newhouse and Flanagan:

Establishing a schedule for this extraordinary session.

MOTION

Mr. Swayze moved that the rules be suspended and House Concurrent Resolution No. 57 be advanced to second reading and read the second time.

RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "It appears under the amendment to Rule 24 adopted yesterday that we have suspended the suspension of the rules to advance to second or third reading, during this extraordinary session. It is now only necessary to have a majority vote to advance to second reading."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion to advance House Concurrent Resolution No. 57 to second reading.

Mr. Swayze spoke in favor of the motion, and Mr. Thompson spoke against it.

The motion by Mr. Swayze was lost.

House Concurrent Resolution No. 57 was referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

September 8, 1973

HOUSE BILL NO. 189, Prime sponsor: Representative Randall, relating to revenue and taxation, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

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

"Section 1. Section 2, chapter 46, Laws of 1973 as amended by section 9, chapter 195, 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, 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) 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

(2) One hundred percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(3) One hundred percent of the receipts from federal forest revenues distributed to school districts pursuant to RCW 36.33.110; and

(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.)) Notwithstanding any other provision of this chapter, the state shall guarantee to school districts an amount of money from state and local funds, not less than ninety-five percent of the average amount per enrolled student, excluding special levies, which any such district realized from state and local funds during the preceding three school years.

Sec. 2. Section 152, chapter 195, Laws of 1973 and RCW (\_\_\_\_\_) are each amended to read as follows:

((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.)) Notwithstanding any other provision of this chapter, the state shall guarantee to school districts an amount of money from state and local funds, not less than ninety-five percent of the average amount per enrolled student, excluding special levies, which any such district realized from state and local funds during the preceding three school years.

Sec. 3. Section 154, chapter 195, Laws of 1973 (uncodified) is amended to read as follows:

This 1973 amendatory act, chapter 195, Laws of 1973, 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, 1975, and section 133 (3) shall take effect on January 31, 1974: PROVIDED, FURTHER, That section 137 ((of this 1973 amendatory act)) shall not be effective until July 1, 1973, at which time section 136 ((of this 1973 amendatory act)) shall be void and of no effect: PROVIDED, FURTHER, That section 138 ((of this 1973 amendatory act)) shall not be effective until January 1,



1974, at which time section 137 ((of this 1973 amendatory act)) shall be void and of no effect: PROVIDED, FURTHER, That section 139 ((of this 1973 amendatory act)) shall not be effective until July 1, 1974 at which time section 138 ((of this 1973 amendatory act)) shall be void and of no effect, and section 139 shall be null and void and of no further effect on and after January 1, 1975: PROVIDED, FURTHER, That sections 1 through 8, sections 10 through 132, section 133 (1), (2), (4), and (5), and section 134 shall not take effect until January 1, 1974, at which time sections 135, 136, and sections 140 through ((452)) 151 shall be void and of no effect: PROVIDED, FURTHER, That section 152 shall be void and of no effect on and after January 1, 1975.

Sec. 4. Section 1, chapter 191, Laws of 1939 as last amended by section 78, chapter 195, Laws of 1973 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 ((five)) four and one-half cents per thousand dollars of assessed value against the taxable property in the county, but nothing herein contained shall prohibit a county from obtaining said public health funds from any other source of county revenue or from budgeting additional sums for public health work.

Sec. 5. Section 1, chapter 162, Laws of 1943 as last amended by section 79, chapter 195, Laws of 1973 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 ((six and one-quarter)) five and five-eighths cents per thousand dollars of assessed value against the taxable property in any county enumerated in RCW 70.33.040, to be used for the control of tuberculosis, including case finding, prevention and follow up of known cases of tuberculosis: PROVIDED, That upon certification of the secretary that any such county has an unexpended balance from such levy, over and above the amount required for adequate tuberculosis control, including case finding, prevention and follow up of known cases of tuberculosis within such county, the legislative authority may budget and reappropriate the same for such tuberculosis control for the ensuing year, or it may allocate from time to time such unexpended balance, or any portion thereof, to the county health department for use in furtherance of other communicable disease prevention or control, or as provided in RCW 70.32.090 as now or hereafter amended. The sum herein provided for, and any income that may accrue from miscellaneous receipts in connection with the tuberculosis control program of such county, shall be placed in the county treasury in a special fund to be known as the tuberculosis fund, and obligations

incurred for the tuberculosis control program shall be paid from said fund by the county treasurer in the same manner as general county obligations are paid. The county auditor shall furnish to the legislative authority and the department a monthly report of receipts and disbursements in the tuberculosis fund, which report shall also show balances of cash on hand.

Sec. 6. Section 3, chapter 117, Laws of 1959 as last amended by section 80, chapter 195, Laws of 1973 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 ((six and one-quarter)) five and five-eighths 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 ((six and one-quarter)) five and five-eighths 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. 7. Section 18, chapter 277, Laws of 1971 ex. sess. as amended by section 81, chapter 195, Laws of 1973 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 ((six and one-quarter)) five and five-eighths cents per thousand dollars of assessed value against 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 ((six and one-quarter)) five and five-eighths 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. 8. Section 11, chapter 277, Laws of 1971 ex. sess. as last amended by section 82, chapter 195, Laws of 1973 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 ~~((twelve and one-half))~~ eleven and one-quarter cents per thousand dollars of assessed value against 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. 9. Section 16, chapter 110, Laws of 1967 ex. sess. as last amended by section 85, chapter 195, Laws of 1973 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 two and ~~one-half~~ one-quarter cents per thousand dollars of assessed value against the taxable property in the county to be used for such purposes: PROVIDED, That all or part of the funds collected from the tax levied for the purposes of this section may be transferred to the state of Washington, department of social and health services, for the purpose of obtaining federal matching funds to provide and coordinate community mental retardation 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. 10. Section 7, page 210, Laws of 1888 as last amended by section 86, chapter 195, Laws of 1973 ex. sess. and RCW 73.08.080 are each amended to read as follows:

The boards of county commissioners of the several counties in this state shall levy, in addition to the taxes now levied by law, a tax in a sum equal to the amount which would be raised by not less than one and one-~~(quarter)~~ eighth cents per thousand dollars of assessed value, and not greater than ~~((thirty))~~ twenty-seven cents per thousand dollars of assessed value against the taxable property of their respective counties, to be levied and collected as now prescribed by law for the assessment and collection of taxes, for the purpose of creating the veteran's relief fund for the relief of honorably discharged veterans who served in the armed forces of the United States in the Civil War, in the war of Mexico or in any of the Indian wars, or the Spanish-American war or the Philippine insurrection, in the First World War, or Second World War or Korean conflict, or Viet Nam conflict, and the indigent wives, husbands, widows, widowers and minor children of such indigent or deceased veterans, to be disbursed for such relief by such board of county commissioners: PROVIDED, That if the funds on deposit, less outstanding warrants, residing in the veteran's relief fund on the first Tuesday in September exceed the expected yield of one and one-~~((quarter))~~ eighth cents per thousand dollars of assessed value against the taxable property of the county, the county commissioners may levy a lesser amount: PROVIDED FURTHER, That the costs incurred in the administration of said veteran's relief fund shall be computed by the county treasurer not less than annually and such amount may then be transferred from the veteran's relief fund as herein provided for to the county current expense fund.

NEW SECTION. Sec. 11. Sections 4 through 11 of this 1973 amendatory act shall be effective on and after January 1, 1974.

NEW SECTION. Sec. 12. Except as otherwise in this 1973 amendatory act provided, 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 page 1, strike the title and insert the following:

"AN ACT Relating to revenue and taxation; amending section 2, chapter 46, Laws of 1973 as amended by section 9, chapter 195, Laws of 1973 and RCW 28A.41.130; amending section 152, chapter 195, Laws of 1973 and RCW (\_\_\_\_); amending section 154, chapter 195, Laws of 1973 (uncodified); amending section 1, chapter 191, Laws of 1939 as last amended by section 78, chapter 195, Laws of 1973 ex. sess. and RCW 70.12.010; amending section 1, chapter 162, Laws of

1943 as last amended by section 79, chapter 195, Laws of 1973 ex. sess. and RCW 70.32.010; amending section 3, chapter 117, Laws of 1959 as last amended by section 80, chapter 195, Laws of 1973 ex. sess. and RCW 70.32.090; amending section 18, chapter 277, Laws of 1971 ex. sess. as amended by section 81, chapter 195, Laws of 1973 ex. sess. and RCW 70.33.040; amending section 11, chapter 277, Laws of 1971 ex. sess. as last amended by section 82, chapter 195, Laws of 1973 ex. sess. and RCW 70.35.070; amending section 16, chapter 110, Laws of 1967 ex. sess. as last amended by section 85, chapter 195, Laws of 1973 ex. sess. and RCW 71.20.110; amending section 7, page 210, Laws of 1888 as last amended by section 86, chapter 195, Laws of 1973 ex. sess. and RCW 73.08.080; prescribing effective dates; and declaring an emergency."

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Barden, Bausch, Blair, Bluechel, Brown, Charette, Chatalas, Curtis, Ehlers, Gaspard, Goltz, Hoggins, Hurley, Kilbury, King, Luders, Morrison, North (Frances), Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams.

#### MOTION

Mr. Charette moved that HOUSE BILL NO. 189 be placed on today's second reading calendar.

Representatives Charette and Pardini spoke in favor of the motion.

The motion was carried.

September 8, 1973

HOUSE BILL NO. 190, Prime sponsor: Representative Randall, relating to revenue and taxation, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

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

"Section 1. Section 84.69.050, chapter 15, Laws of 1961 and RCW 84.69.050 are each amended to read as follows:

The part of the refund representing amounts paid to the state shall be paid from the county general fund and the state auditor shall, upon the next succeeding settlement with the county, certify this amount refunded to the county: PROVIDED, That when a mass refund of state levies is directed by court order, the state auditor and department of revenue shall authorize adjustment procedures whereby counties may deduct from property tax remittances to the state the amount required to cover the state's portion of the refunds.

Sec. 2. Section 84.69.070, chapter 15, Laws of 1961 as last amended by section 1, chapter 114, Laws of 1963 and

RCW 84.69.070 are each amended to read as follows:

Refunds ordered with respect to taxing districts shall be paid by checks drawn by the county treasurer upon such available funds, if any, as the taxing districts may have on deposit in the county treasury, or in the event such funds are insufficient, then out of funds subsequently accruing to such taxing district and on deposit in the county treasury. When such refunds are made as a result of taxes paid under levies or statutes adjudicated to be illegal or unconstitutional all administrative costs incurred by the county treasurer in making such refunds shall be a charge against the funds of such districts and/or the state on a pro rata basis until the county current expense fund is fully reimbursed for the administrative expenses incurred in making such refund: PROVIDED, That whenever orders for refunds of ad valorem taxes promulgated by boards of county commissioners and unpaid checks shall expire and become void as provided in RCW 84.69.110, then any moneys remaining in a refund account established by the county treasurer for any taxing district may be transferred by the county treasurer from such refund account to the county current expense fund to reimburse the county for the administrative expense incurred in making refunds as prescribed herein. Any excess then remaining in the taxing district refund account may then be transferred by the county treasurer to the current expense fund of the taxing district for which the tax was originally levied and collected.

Sec. 3. Section 84.69.100, chapter 15, Laws of 1961 and RCW 84.69.100 are each amended to read as follows:

Refunds of taxes pursuant to RCW 84.69.010 through 84.69.090 shall include interest at the rate of five percent per annum from the date of collection of the portion refundable or from the date of claim for refund, whichever is later; PROVIDED, That mass refunds on a state, county, or district wide basis shall not commence to accrue interest until six months following the date of the final order of the court.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, strike the title and insert the following:

"AN ACT Relating to revenue and taxation; amending section 84.69.050, chapter 15, Laws of 1961 and RCW 84.69.050; amending section 82.69.070, chapter 15, Laws of 1961 as last amended by section 1, chapter 114, Laws of 1963 and RCW 84.69.070; amending section 84.69.100, chapter 15, Laws of 1961 and RCW 84.69.100; and declaring an emergency."

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Barden, Bausch, Benitz, Blair, Bluechel, Brown, Charette, Chatalas, Curtis, Ehlers, Flanagan, Gaspard, Goltz, Hansey, Hoggins, Hurley, Julin, Kilbury, King, Luders, Moon, Morrison, Newhouse, North (Frances), Pardini, Polk, Smith, Thompson, Valle, Van Dyk, Warnke, Williams.

## MOTION

On motion of Mr. Charette, HOUSE BILL NO. 190 was placed on today's second reading calendar.

September 8, 1973

HOUSE BILL NO. 191, Prime sponsor: Representative Randall, relating to revenue and taxation, reported by Committee on Ways and Means.

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 that voter approval of House Joint Resolution No. 37 (authorizing a state income tax) at a general election held in November, 1973, will also result in decreased revenues received by cities, towns, counties, and other taxing districts from locally levied taxes. The legislature further finds it necessary and desirable to reimburse and compensate these units of local government to minimize any loss or disruption in the revenue flow and the governmental services provided therewith. Therefore, the legislature does hereby establish a formula by which to distribute, on the basis of population and population concentrations, a portion of state income tax revenues to units of local government to offset revenue losses resulting from the state imposed exemptions on food and prescription drugs from the sales tax and business inventories from the personal property tax.

NEW SECTION. Sec. 2. Revenues derived by the state imposed net income tax which are to be used exclusively for distribution to municipal corporations other than school districts as directed by section 59, chapter 141, Laws of 1973 first extraordinary session shall be placed in the local government sales, use, and inventory tax replacement fund which is hereby created in the state general fund. The state treasurer shall distribute moneys from such fund in the manner set forth in sections 3 through 7 of this 1973 act.

NEW SECTION. Sec. 3. (1) For replacement of inventory tax revenue, there shall be allocated and distributed \$2,600,000 for the 1973-75 fiscal biennium, and in each subsequent biennium such amount as may be directed by the legislature. Thirty-six percent of the total for each biennium shall be distributed to cities and towns, fifty-two percent to counties, and twelve percent to public utility districts, port districts, and the taxing districts authorized by law to receive a portion of the regular property tax levy, except school districts, cities, towns, and counties.

(2) The total revenue distributable to all cities and towns pursuant to subsection (1) of this section shall be distributed in each fiscal biennium in accordance with the following factors:

- (a) Fifty percent to all cities and towns;
- (b) Fifty percent to cities of 20,000 or more

population.

Each city or town shall share in the amount distributed under each factor in the proportion which its population bears to the total population of all cities and/or towns receiving funds under that factor: PROVIDED, That no city or town shall receive in any year less than ninety-five percent of the amount received the previous year from remaining taxes on business inventories and state allocated replacement revenues.

(3) The total revenues distributable to all counties each biennium pursuant to subsection (1) of this section shall be distributed in each fiscal biennium in accordance with the following factors:

(a) Fifty percent to all counties;

(b) Fifty percent to counties with unincorporated population in excess of 20,000.

Each county shall share in the amount distributed under each factor in the proportion which its population bears to the total population of all counties receiving funds under such factors: PROVIDED, That no county shall receive in any year less than ninety-five percent of the amount received the previous year from remaining taxes on business inventories and state allocated replacement revenues.

(4) From the total revenues distributable pursuant to subsection (1) of this section to public utility districts, port districts, the taxing districts authorized by law to receive a portion of the regular property tax levy, except school districts, cities, towns, and counties, each such eligible district shall receive an amount equal to the total amount multiplied by a fraction, the numerator of which is the amount of revenue reduction incurred by such district from the business inventory tax phase-out, and the denominator of which is such aggregate revenue reduction incurred by all districts eligible to receive funds under this subsection. No such district shall receive an amount under this subsection in 1979 or any year thereafter in excess of the amount received by such district in 1978.

NEW SECTION. Sec. 4. To compensate cities, towns, counties, and metropolitan municipal corporations authorized to impose a retail sales and use tax pursuant to chapter 82.14 RCW for revenue reductions incurred due to the exemption of food products and prescription drugs from the sales and use tax, the state treasurer shall distribute:

(1) To cities, towns, and counties bimonthly and together with local sales and use tax distributions as provided by RCW 82.14.060, beginning in April of 1974 and continuing through June of 1975 the sum of thirteen million dollars, and in each biennium thereafter such amount as the legislature shall direct. Each city, town, or county shall receive an amount equal to the total bimonthly amount being distributed multiplied by a fraction, the numerator of which is the population of the city or town or the unincorporated population of the county, as the case may be, and the denominator of which is the total population of this state;

(2) To metropolitan municipal corporations the sum of two million six hundred thousand dollars in nine equal



payments of two hundred eighty-eight thousand dollars beginning in April of 1974. Each metropolitan municipal corporation shall receive an amount equal to the total amount of each such installment multiplied by a fraction, the numerator of which is the population of such metropolitan municipal corporation, and the denominator of which is the population of all metropolitan municipal corporations eligible to receive funds pursuant to this section.

NEW SECTION. Sec. 5. The population data needed by the state treasurer to calculate the population distribution factors shall be determined and provided by the state office of program planning and fiscal management.

NEW SECTION. Sec. 6. The state department of revenue with the assistance of the interested county assessors and treasurers shall determine the revenue reductions incurred by each local government taxing district eligible to receive funds pursuant to this 1973 act and shall provide such data to the state treasurer at such time and in such manner as the state treasurer may prescribe.

NEW SECTION. Sec. 7. Prior to each regular session of the legislature the state department of revenue shall determine the revenue losses incurred by the various units of local government from the exemption of food and prescription drugs from the sales and use tax and the phaseout of the personal property tax on business inventories and report its conclusions to that session of the legislature. Such report shall indicate the aggregate loss to each type of local governmental unit and shall include the projected appropriation and the distribution formula recommended to fairly distribute replacement revenues in accordance with the provisions of this 1973 act.

NEW SECTION. Sec. 8. Sections 1 through 7 of this 1973 act are each added to chapter 141, Laws of 1973 ex. sess. and to Title 82A RCW.

NEW SECTION. Sec. 9. The provisions of this 1973 act shall take effect on January 1, 1974 if the proposed amendment to Article 7 of the state Constitution authorizing the legislature to impose a tax upon net income and to authorize property tax relief is validly submitted and is approved and ratified by the voters at a general election held in November, 1973. If such proposed amendment is not so submitted and approved and ratified, this 1973 act shall be null and void in its entirety."

On page 1, strike the title and insert the following:

"AN ACT Relating to revenue and taxation; adding new sections to chapter 141, Laws of 1973 ex. sess. and to Title 82A RCW; making an appropriation; and prescribing an effective date."

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Barden, Bausch, Blair, Bluechel, Brown, Chatalas, Curtis, Ehlers, Erickson, Flanagan, Gaspard, Goltz, Hurley, Kilbury, King, North (Frances), Pardini, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke.

## MOTION

On motion of Mr. Charette, HOUSE BILL NO. 191 was placed on today's second reading calendar.

September 8, 1973

HOUSE BILL NO. 446, Prime sponsor: Representative Randall, pertaining to property taxes, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after the enacting clause strike the remainder of the bill and insert the following:

"Section 1. Section 20, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 67, Laws of 1973 ex. sess. and RCW 84.55.010 are each amended to read as follows:

Except as provided in RCW 84.55.020 through 84.55.050, the levy in 1973 and years subsequent thereto for a taxing district other than the state or a school district in any year shall be set so that the regular property taxes payable in the following year shall not exceed one hundred six percent of the amount of regular property taxes lawfully levied for such district in the highest of the three most recent years in which such taxes were levied for such district plus an additional dollar amount calculated by multiplying the increase in assessed value in that district resulting from new construction and improvements to property by the regular property tax levy rate of that district for the preceding year: PROVIDED, That if such taxing district is a county, or is located within a county or counties, in which the property is being revalued in accordance with a cyclical revaluation program commencing in or after 1969 pursuant to the requirements of RCW 84.41.030 and the revaluation of the property within such taxing district has not been fully completed prior to certification of the tax rolls for levies made in 1972, then the provisions of this section shall not be applicable for levies made in 1973 by those taxing districts in which all the property has not been valued or revalued: PROVIDED FURTHER, That if a taxing district has not levied in the three most recent years and elects to restore a regular property tax levy subject to applicable statutory limitations then such first restored levy shall be set so that the regular property tax payable shall not exceed the amount which could have been lawfully levied in ((1973)) the year in which the limitation imposed pursuant to this section becomes applicable, plus an additional dollar amount calculated by multiplying the increase in assessed value in the district since ((1973)) the year in which the limitation imposed pursuant to this section becomes applicable resulting from new construction and improvements to property by the property tax rate which is proposed to be restored, or the maximum amount which could be lawfully levied in the year such a restored levy is proposed; AND PROVIDED FURTHER, That if the levy by a county is reduced from what it would otherwise be if this section did not exist, the levy limitations set forth in RCW 70.12.010,

70.32.010, 70.32.090, 70.33.040, 70.35.070, 71.20.110, and 73.08.080, as amended, shall be proportionately reduced.

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 line 1 of the title, after "taxes;" strike the remainder of the title and insert "amending section 20, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 67, Laws of 1973 ex. sess. and RCW 84.55.010; and declaring an emergency."

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Bausch, Blair, Brown, Chatalas, Curtis, Ehlers, Erickson, Gaspard, Goltz, Hurley, Kilbury, King, Luders, Moon, North (Frances), Smith, Sommers, Thompson, Valle, Warnke, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Barden, Benitz, Julin, Morrison, Pardini, Polk.

#### MOTION

On motion of Mr. Charette, HOUSE BILL NO. 446 was placed on today's second reading calendar.

September 9, 1973

HOUSE BILL NO. 487, Prime sponsor: Representative Johnson, redefining certain elements of a lottery in order to allow consumer to participate in various promotional schemes, reported by Committee on Commerce.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass.

Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Curtis, Gallagher, Garrett, Gilleland, Juelling, Kuehne, Leckenby, O'Brien, Wilson.

To Committee on Rules for second reading.

September 8, 1973

HOUSE BILL NO. 569, Prime sponsor: Representative Wojahn, providing laws for noise abatement and control, reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Luders, Chairman; Smith, Vice Chairman; Bauer, Beck, Bluechel, Charnley, Douthwaite, Goltz, Kraabel, McCormick, Nelson, North (Lois), Pullen,

Valle, Wilson, Zimmerman.

To Committee on Rules for second reading.

September 9, 1973

HOUSE BILL NO. 624, Prime sponsor: Representative Swayze, excluding baby sitting referral services from employment agencies, reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Curtis, Gallagher, Garrett, Gilleland, Jueling, Kuehnle, Leckenby, O'Brien, Williams, Wilson.

To Committee on Rules for second reading.

September 8, 1973

HOUSE BILL NO. 637, Prime sponsor: Representative Charette, enacting the Forest Practices Act of 1973, reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Anderson, Clemente, Conner, Gilleland, Hansen, Hansey, Julin, Kilbury, Schumaker, Tilly.

To Committee on Rules for second reading.

August 4, 1973

HOUSE BILL NO. 647, Prime sponsor: Representative Conner, creating a new board of prison terms and paroles and defining its functions, reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Ehlers, Gaines, Hendricks, Hurley, Moon, Polk, Thompson.

To Committee on Rules for second reading.

September 9, 1973

HOUSE BILL NO. 671, Prime sponsor: Representative Gallagher, permitting Sunday boxing and twelve-round state and regional championship bouts, reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Gallagher, Garrett, Gilleland, Juelling, Kuehnle, O'Brien, Williams, Wilson.

To Committee on Rules for second reading.

September 8, 1973

HOUSE BILL NO. 706, Prime sponsor: Representative Randall, 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 with the following amendments:

On page 1 of the engrossed and printed bills, strike everything after the enacting clause, including the amendments by the House Committee on Ways and Means--Revenue, and insert the following:

"Section 1. Section 84.40.080, chapter 15, Laws of 1961 and RCW 84.40.080 are each amended to read as follows:

The assessor, upon his own motion, or upon the application of any taxpayer, shall enter in the detail and assessment list of the current year any property shown to have been omitted from the assessment list of any preceding year, at the valuation of that year, or if not then valued, at such valuation as the assessor shall determine from the preceding year, and such valuation shall be stated in a separate line from the valuation of the current year. Where improvements have not been valued and assessed as a part of the real estate upon which the same may be located, as evidenced by the assessment rolls, they may be separately valued and assessed as omitted property under this section: PROVIDED, That ((no such assessment shall be made for any period more than three years preceding the year in which such improvements are valued and assessed: ~~PROVIDED; FURTHER; That~~) no such assessment shall be made in any case where a bona fide purchaser, encumbrancer, or contract buyer has acquired any interest in said property prior to the time such improvements are assessed. When such an omitted assessment is made, the taxes levied thereon may be paid within one year of the due date of the taxes for the year in which the assessment is made without penalty or interest: AND PROVIDED FURTHER, That in the assessment of personal property, the assessor shall assess the omitted value not reported by the taxpayer as evidenced by an inspection of either the property or the books and records of said taxpayer by the assessor.

NEW SECTION. Sec. 2. There is added to chapter 15, Laws of 1961 and to chapter 84.40 RCW a new section to read as follows:

No omitted property or omitted value assessment shall be made for any period more than three years preceding the year in which the omission is discovered. The assessor, upon discovery of such omission, shall

forward a copy of the amended personal property affidavit along with a letter of particulars informing the taxpayer of the findings and of his right of appeal to the county board of equalization. Upon request of either the taxpayer or the assessor, the county board of equalization may be reconvened to act on subject omits."

On line 1 of the title to the engrossed and printed bills, after "taxation;" strike the remainder of the title and insert "amending section 84.40.080, chapter 15, Laws of 1961 and RCW 84.40.080; and adding a new section to chapter 15, Laws of 1961 and to chapter 84.40 RCW."

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Barden, Bausch, Benitz, Blair, Charette, Chatalas, Ehlers, Gaspard, Goltz, Hoggins, Kilbury, King, Luders, Moon, Newhouse, North (Frances), Pardini, Smith, Thompson, Valle, Van Dyk, Warnke, Williams.

#### MOTION

On motion of Mr. Charette, HOUSE BILL NO. 706 was placed on today's second reading calendar.

September 8, 1973

HOUSE BILL NO. 922, Prime sponsor: Representative Kuehne, relating to disclosure of financial affairs of public officers and candidates, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 3 after the enacting clause strike the remainder of the bill and insert the following:

"Section 1. Section 24, chapter 1, Laws of 1973 (Initiative Measure No. 276) and RCW 42.17.240 are each amended to read as follows:

(1) Every elected official (except President, Vice President and precinct committeemen) shall on or before ((January 31st)) April 15th of each year, as to the preceding calendar year, and every candidate (except for the offices of President, Vice President, and precinct committeeman) shall, within two weeks of becoming a candidate, as to the preceding twelve months, file with the commission a written statement sworn as to its truth and accuracy stating for himself and his immediate family ((for the preceding twelve months)):

(a) Occupation, name of employer, and business address; and

(b) Each direct financial interest in excess of five thousand dollars in a bank or savings account or cash surrender value of any insurance policy; each other direct financial interest in excess of five hundred dollars; and the name, address, nature of entity, nature and value of each such direct financial interest; and

(c) The name and address of each creditor to whom the value of five hundred dollars or more was owed; the original amount of each debt to each such creditor; the

amount of each debt owed to each creditor as of the date of filing; the terms of repayment of each such debt; and the security given, if any, for each such debt: PROVIDED, That debts arising out of a 'retail installment transaction' as defined in chapter 63.14 RCW (Retail Installment Sales Act) need not be reported; and

(d) Every public or private office, directorship and position as trustee held; and

(e) All persons for whom actual or proposed legislation, rules, rates, or standards has been prepared, promoted, or opposed for current or deferred compensation; the description of such actual or proposed legislation, rules, rates or standards; and the amount of current or deferred compensation paid or promised to be paid; and

(f) The name and address of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from whom compensation has been received in any form of a total value of five hundred dollars or more; the value of such compensation; and the consideration given or performed in exchange for such compensation; and

(g) The name of any corporation, partnership, joint venture, association, union or other entity in which is held any office, directorship or any general partnership interest, or an ownership interest of ten percent or more; the name or title of that office, directorship or partnership; the nature of ownership interest; and with respect to each such entity the name of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union or other business or commercial entity from which such entity has received compensation in any form in the amount of five hundred dollars or more during the preceding twelve months and the consideration given or performed in exchange for such compensation; and

(h) A list, including legal descriptions, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was acquired during the preceding calendar year, and a statement of the amount and nature of the financial interest and of the consideration given in exchange for such interest; and

(i) A list, including legal descriptions, of all real property in the State of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was divested during the preceding calendar year, and a statement of the amount and nature of the consideration received in exchange for such interest, and the name and address of the person furnishing such consideration; and

(j) A list, including legal descriptions, of all real property in the State of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which a direct financial interest was held: PROVIDED, That if a description of such property has been included in a report previously filed, such property may be listed, for purposes of this provision, by reference to such previously filed report;

(k) A list, including legal descriptions, of all

real property in the State of Washington, the assessed valuation of which exceeds five thousand dollars, in which a corporation, partnership, firm, enterprise or other entity had a direct financial interest, in which corporation, partnership, firm or enterprise a ten percent or greater ownership interest was held; and

(1) Such other information as the commission may deem necessary in order to properly carry out the purposes and policies of this act, as the commission shall by rule prescribe.

(2) Where an amount is required to be reported under subsection (1), paragraphs (a) through (k) of this section, it shall be sufficient to comply with such requirement to report whether the amount is less than one thousand dollars, at least one thousand dollars but less than five thousand dollars, at least five thousand dollars but less than ten thousand dollars, at least ten thousand dollars but less than twenty-five thousand dollars, or twenty-five thousand dollars or more. An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection shall be interpreted to prevent any person from filing more information or more detailed information than required.

(3) An official elected to a term of office prior to December 1, 1972 who resigns from office prior to expiration of such term and prior to April 15, 1974, and who does not thereafter become a candidate for or otherwise hold any elective public office within this state for a period of at least two years from the date of such resignation, shall not be required to file a report under this section for calendar year 1973. Any official not reporting pursuant to the exemption in this subsection who, within two years of his resignation, becomes a candidate for or otherwise holds an elective public office within this state shall, within two weeks thereof, file a report under this section for calendar year 1973.

(4) Elected officials and candidates reporting under this section shall not be required to file the statements required to be filed with the Secretary of State under RCW 42.21.060."

On line 2 of the title after "candidates" and before the period insert "; and amending section 24, chapter 1, Laws of 1973 (Initiative Measure No. 276) and RCW 42.17.240"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Eng, Erickson, Hayner, Knowles, Maxie, Rabel.

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

To Committee on Rules for second reading.

September 9, 1973

HOUSE BILL NO. 967, Prime sponsor: Representative Hendricks, providing regulations for the packaging of household substances which may be injurious to children,



reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Curtis, Gallagher, Garrett, Gilleland, Juelling, Leckenby, O'Brien, Williams.

To Committee on Rules for second reading.

September 8, 1973

HOUSE JOINT MEMORIAL NO. 23, Prime sponsor: Representative Sommers, requesting the U.S. Department of Transportation to implement the Ports and Waterways Safety Act, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 26 after "Act" strike "as soon as possible"

On page 2, line 1 strike "Limit permissible speeds of all tankers" and insert "Immediately establish safe permissible speed limits for all vessels"

On page 2, lines 5 and 6, strike all of subsection (3)

Re-number the remaining subsections consecutively

On page 2, line 7 after "all" strike "tankers" and insert "vessels"

On page 2, line 9 after "as" strike "bow thrusters" and insert "variable pitch propellers"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Nelson, Patterson.

To Committee on Rules for second reading.

September 8, 1973

HOUSE JOINT RESOLUTION NO. 2, Prime sponsor: Representative Kilbury, providing for a limitation on the governor's veto power, reported by Committee on Constitution and Elections.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Conner, Eng, Erickson, Knowles, Maxie.

MINORITY recommendation: Do not pass. Signed by Representatives Brown, Hayner, Rabel.

To Committee on Rules for second reading.

## SECOND READING

HOUSE BILL NO. 189, by Representative Randall:

Relating to revenue and taxation.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments see Reports of Standing Committees, today's Journal.)

The bill was read the second time.

On motion of Ms. Sommers, the committee amendments were adopted.

House Bill No. 189 was ordered engrossed.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed House Bill No. 189 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 189, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Julin, Kuehnle, Pardini.

Not voting: Representative Kopet.

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

HOUSE BILL NO. 190, by Representative Randall:

Relating to revenue and taxation.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments see Reports of Standing Committees, today's Journal.)

The bill was read the second time.

Ms. Sommers moved adoption of the committee amendment to the body of the bill, and spoke in favor of adoption of the amendment.

Mr. Pardini moved adoption of the following amendment to the committee amendment:

On page 2, section 3, line 20 beginning with "PROVIDED" on line 20 strike everything through "court" on line 23

Mr. Pardini spoke in favor of the amendment to the amendment, and Ms. Sommers spoke against it.

Mr. Pardini spoke again in favor of adoption of the amendment to the amendment.

The amendment by Mr. Pardini to the committee amendment was not adopted.

The committee amendment was adopted.

On motion of Ms. Sommers, the committee amendment to the title was adopted.

House Bill No. 190 was ordered engrossed.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed House Bill No. 190 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 190, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representative Kopet.

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

HOUSE BILL NO. 191, by Representative Randall:

Relating to revenue and taxation.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Reports of Standing Committees, today's Journal.)

The bill was read the second time.

Ms. Sommers moved adoption of the committee amendment to the body of the bill.

On motion of Ms. Sommers, the following amendments by Representatives Sommers and Randall to the committee amendment were adopted:

On page 3, section 4, line 31 after "corporations" insert "located within class AA counties"

On page 4, section 4, line 1 after "corporation" insert "located within class AA counties"

Mr. Pardini moved adoption of the following amendments to the committee amendment to House Bill No. 191:

On page 2 of the printed committee amendment, section 3, line 12 after "(a)" and before "percent" strike "Fifty" and insert "Twenty-five"

On page 2, of the printed committee amendment, section 3, line 13 after "(b)" and before "percent" strike "Fifty" and insert "Twenty-five"

On page 2 of the printed committee amendment, section 3, line 21 add new subsections as follows:

"(c) Twenty-five percent to all cities maintaining more than five full-time policemen.

"(d) Twenty-five percent to all cities maintaining more than five full-time firemen."

Mr. Pardini spoke in favor of the amendments to the amendment, and Ms. Sommers spoke against them.

## POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Julin.

Mr. Julin: "Representative Sommers, the dividing line here for allocation in this formula is 20,000 or more population. I have two questions: (1) What was the basis for making that decision, which obviously must have been an arbitrary one? You had to pick a number someplace. (2) Secondly, and of more concern to me is: Who determines, and what is the base for determining the population? And is it the population of 20,000 or less on the effective date of this act, or at any future time when the municipality increases its population to 20,000 or more?"

Ms. Sommers: "The basis for calculation (I will answer your second question first)--the basis for calculation is outlined in section 5 and section 6, I think. There are administrative procedures for the

calculation of population. There is no date stipulated there. The reason for the cut-off of 20,000, or the reasons, were two actually--two different types of reasons: One, the cities and counties, unincorporated population, exceeding these figures generally correlate pretty accurately with those counties and cities where industry is located, and where the inventory tax is paid. You will note that this applies to the inventory tax portion only. And so in that instance we were recognizing some kind of relative replacement factor. The other reason is that we attempted to recognize the increasing need for services given urban density, as implied in the prior grant fund to local government and as implied in the general revenue sharing fund by the federal government. If you look at the population of cities and towns, I don't have them right here at my fingertips, but it seems to be, according to the latest population figures, a pretty good breaking point. And the last figures we had, there were no cities or counties that were just at the 19,000 level, or to my recollection, none at the 18,000 level either, and therefore it seems to be an appropriate breaking point."

Mr. Julin: "Again for the purpose of making clear the intent of the legislature, I would ask Representative Sommers to yield to another question: Is it clearly the intent of this measure that as a municipality, or a county's population, reaches 20,000 or more, that it will then become eligible for the additional 50 percent allocation under this measure?"

Mrs. Sommers: "That is my understanding, yes."

Mr. Pardini spoke again in favor of adoption of the amendments to the amendment, and Representatives Randall and Bluechel spoke against adoption of the amendments to the amendment.

The amendments to the amendment were lost.

Mr. Pardini moved adoption of the following amendment to the committee amendment to House Bill No. 191: On page 2 of the printed committee amendment, section 3, line 18 after "than" and before "percent" strike "ninety-five" and insert "one hundred"

Mr. Pardini spoke in favor of the amendment to the amendment, and Representative Sommers spoke against it.

The amendment by Mr. Pardini to the committee amendment was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the adoption of the committee amendment as amended.

The committee amendment as amended was adopted.

On motion of Ms. Sommers, the committee amendment to the title was adopted.

House Bill No. 191 was ordered engrossed.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed House Bill No. 191 was placed on final passage.

Representatives Sommers and Randall spoke in favor of the bill, and Representatives Newhouse, Charette and Flanagan spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 191, and the bill failed to pass the House by the following vote: Yeas, 48; nays, 49; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Julin, Kelley, King, Knowles, Kraabel, Leckenby, Luders, Lysen, Martinis, Maxie, North L., O'Brien, Parker, Perry, Polk, Rabel, Randall, Shipoch, Smith, Smythe, Sommers, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Anderson, Barden, Beck, Benitz, Berentson, Charette, Clemente, Conner, Cunningham, Curtis, Ehlers, Flanagan, Fortson, Garrett, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, Kuehnle, Laughlin, Matthews, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., Pardini, Paris, Patterson, Pullen, Savage, Schumaker, Swayze, Thompson, Tilly, Van Dyk, Wilson, Zimmerman.

Not voting: Representative Kopet.

Engrossed House Bill No. 191, having failed to receive the constitutional majority, was declared lost.

#### HOUSE BILL NO. 446, by Representative Randall:

Pertaining to property taxes.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Reports of Standing Committees, today's Journal.)

Ms. Sommers moved adoption of the committee amendment to the body of the bill.

On motion of Ms. Sommers, the following amendments to the committee amendment were adopted:

On page 1, section 1, line 26 after "by" insert "or for"

On page 2, section 1, line 15 strike "levy limitations" and insert "mandatory levy rates"

The committee amendment as amended was adopted.

On motion of Ms. Sommers, the committee amendment to

the title was adopted.

House Bill No. 446 was ordered engrossed.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed House Bill No. 446 was placed on final passage.

Representatives Sommers and Brown spoke in favor of passage of the bill, and Representatives Julin, Swayze and Polk spoke against it.

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "The question I have, Representative Sommers, deals with the point made by Representative Swayze. On lines 18, 19 and 20, it says 'if such taxing district is a county, or is located within a county or counties,' etc. This does not mean that we are talking about simply counties, does it? We are talking about taxing districts. If they are a county, you are right, Mr. Swayze, but they are not necessarily counties as I understand it. Would you clarify this please?"

Ms. Sommers: "It is my understanding that the language would include all kinds of taxing districts, whether they be counties, cities, fire districts, etc. We have frankly gone round and round with the lawyers on this language and we thought that it was clear in this version. I would like to have the language clear and satisfactory to everyone."

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

#### MOTION

On motion of Mr. Charette, the House deferred further consideration of Engrossed House Bill No. 446, and the bill was ordered held for tomorrow's third reading calendar.

ENGROSSED HOUSE BILL NO. 706, by Representative Randall:

Requiring assessors to add to the assessment list the omitted value of personal property.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Reports of Standing Committees, today's Journal.)

The bill was read the second time.

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

House Bill No. 706 was ordered engrossed.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed House Bill No. 706 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 706, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1,

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cunningham, Flanagan, Hansen, Pardini.

Not voting: Representative Kopet.

Engrossed House Bill No. 706, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### SECOND READING

HOUSE BILL NO. 1075, by Representatives Kopet and Shinpoch:

Providing for state participation in the federal supplemental security income program.

The bill was read the second time.

Mr. Parker moved adoption of the following amendment:

On page 2, section 4, strike all the material on lines 6 through 21 and insert the following:

"The department shall enter into contractual agreements with the United States department of health, education and welfare, consistent with the provisions of Public Laws 92-603 and 93-66, and to be effective January 1, 1974, for the purpose of enabling the secretary of the department of health, education and welfare to perform



administrative functions of state supplementation to the national supplemental security income program and the determination of medicaid eligibility on behalf of the state. The department is authorized to transfer and make payments of state funds to the secretary of the department of health, education and welfare as required by Public Laws 92-603 and 93-66: PROVIDED, HOWEVER, That such agreements shall be submitted for review and comment to the social and health services committees of the senate and house of representatives, and shall be subject to authorization and/or ratification by the legislative budget committee, and such agreements shall not bind the state unless and until such authorization and/or ratification is given."

Mr. Morrison moved adoption of the following amendment to the amendment:

On page 1, line 27 of the amendment to section 4 after "given" insert ": PROVIDED FURTHER, HOWEVER, That if the authorization and ratification is not given, the department of social and health services shall administer the state supplemental program as established in section 3 of this act"

Representatives Morrison and Parker spoke in favor of adoption of the amendment to the amendment.

The amendment by Mr. Morrison to the amendment was adopted.

Mr. Parker spoke in favor of adoption of the amendment, and the amendment as amended by Mr. Morrison was adopted.

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

On page 2, after section 4 add a new section to read as follows:

"NEW SECTION. Sec. 5. There is added to chapter 26, Laws of 1959 and to chapter 74.04 RCW a new section to read as follows:

Referrals to the state department of social and health services for vocational rehabilitation made in accordance with section 1615 of Title XVI of the Social Security Act, as amended, shall be accepted by the state.

The department shall be reimbursed by the secretary of the department of health, education and welfare for the costs it incurs in providing such vocational rehabilitation services."

On page 1, section 1, line 9 after the period insert: "It is legislative intent that the state provide a general assistance grant to those individuals who were eligible or would have been eligible for benefits under this state's old age assistance, disability assistance, and aid to the blind programs as they were in effect in December, 1973, but who will no longer be eligible for such benefits due to Title XVI of the Social Security Act."

On page 2, following section 5 add a new section as follows:

"NEW SECTION. Sec. 6. This 1973 act is necessary for the preservation of the public peace, health and

safety, the support of the state government and its public institutions, and shall take effect immediately."

On page 1, section 2, line 19 after "Public Law 92-603" and before the period insert "and Public Law 93-66: PROVIDED, That the agreements between the department of social and health services and the United States department of health, education and welfare receive such legislative authorization and/or ratification as required by section 4 of this 1973 act"

On page 1, section 1, line 7 after "Public Law 92-603" and before the comma insert "and Public Law 93-66"

On page 1, section 3, line 24 after "Public Law 92-603" and before "to" insert "and Public Law 93-66"

On motion of Mr. Parker, the following amendment to the title was adopted:

On page 1, line 2 of the title after "RCW" and before the period, insert "; and declaring an emergency"

House Bill No. 705 was ordered engrossed.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed House Bill No. 1075 was placed on final passage.

Representatives Parker and Morrison spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Parker yielded to question by Ms. Maxie.

Ms. Maxie: "In the interest of establishing the legislative intent of this bill, I have been requested by some of the senior citizens to pose several questions to Representative Parker, or whoever is sponsoring this bill, for the sole purpose of getting on the record the clear intention of the legislature, because there will be some problem in implementing this statute. The first question: Does this bill provide a general assistance payment equal to the present grant for those not eligible for supplemental security income after January 1, 1974?"

Mr. Parker: "Representative Maxie, in answer to your question, the amendment that was adopted that was sponsored by Representative Shinpoch and myself clearly states that our legislative intent is that if there were restrictive federal regulations that knocked some of these people off the rolls who are eligible now under the existing program, that they would be eligible for the general assistance grants under our present programs."

Ms. Maxie: "After January 1, 1974?"

Mr. Parker: "Yes."

Ms. Maxie: "The second question: Does this bill provide a state supplement to all supplemental security income recipients whether they go on assistance before or after January 1, 1974, which will guarantee at least no cut

in the present grant level?"

Mr. Parker: "Representative Maxie, again in answer to your question: Under the program as outlined by the federal government, all people on the rolls prior to December 31, 1973, are grandfathered in at the existing level so they can have no decrease from what they had. They can be brought up higher, but there can be no decrease for those people. Those coming on after January 1, 1974--those levels are yet to be set by the department of social and health services, but as we stated earlier in the discussions on this, the federal government in some of the concessions they have made have freed enough money that I am sure all the people that will be coming on to this program will receive a payment grant level equal to or surpassing our present levels."

Ms. Maxie: "The next question, and the final one, is divided into three parts. First of all, how do eligibility requirement definitions affect those who are disabled as the result of drug addiction and alcoholism?"

Mr. Parker: "With regard to that, first of all, the amendment again by Representative Shinpoch and myself says that if the federal regulations are restrictive and that some of these people are knocked off, they are eligible for the general assistance grants. At the same time, the technical amendment to bring us into compliance with the vocational rehabilitation part of the federal act would apply here also, so these people would be taken care of under the program as outlined in House Bill No. 1075."

Ms. Maxie: "Fine, thank you. Will there be any possibility of redefinition which would make those so classified ineligible for supplemental security income?"

Mr. Parker: "Well, of course, the Congress could always pass a bill, but under those circumstances we have provided that the Legislative Budget Committee would have to ratify the agreement if we weren't in session, and that we would have the power if we were. So we have adequate protections to insure that no recipients in the state of Washington would be disadvantaged under the program."

Representatives Parker and Eikenberry spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Savage.

Mr. Savage: "It is my understanding that supplements from the state would be added. The state would let the federal government know how much money we were going to make available, and they would get the entire amount in one check. Is that correct?"

Mr. Parker: "As we understand the federal government's intentions at this time, yes, that is correct. They would receive it all in one check."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1075, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Kuehnle.

Not voting: Representative Kopet.

Engrossed House Bill No. 1075, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION FOR RECONSIDERATION

Mr. Thompson, having voted on the prevailing side, moved that the House do now reconsider the vote by which ENGROSSED HOUSE BILL NO. 191 failed to pass the House.

Mr. Thompson spoke in favor of the motion.

The motion was carried on a rising vote.

#### MOTION

On motion of Mr. Thompson, the House deferred reconsideration of Engrossed House Bill No. 191 on final passage, and the bill was ordered placed on tomorrow's third reading calendar.

#### THIRD READING

ENGROSSED HOUSE BILL NO. 1026, by Representatives Van Dyk, North (Lois), Goltz, Kilbury, Douthwaite, Fortson, Charnley, Rabel, Lysen, Sommers and Kelley:

Providing for a state-wide system of unit pricing in grocery stores.

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

#### MOTION

Mr. Curtis moved that the rules be suspended and Engrossed House Bill No. 1026 be returned to second reading for the purpose of amendment.

Representatives Curtis and Julin spoke in favor of the motion, and Representative Van Dyk spoke against it.

Mr. Curtis requested the right to close debate on the motion.

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "I would like to read House Rule No. 48, in part, which says: 'A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of his motion, and one opponent to the motion may briefly explain his position.' We have had this on your motion, Mr. Curtis, so I am going to put your question before the House. There is no closing of debate."

The motion was lost on a rising vote.

#### POINT OF ORDER

Mr. Hansey: "Mr. Speaker, I believe we are considering at the present time Engrossed House Bill No. 1026. I have looked in my billbook, and I don't have it. I've looked in several others, and it does not seem to be in our billbooks. I think that for as important a measure as this, we should have an opportunity to at least see the measure. Engrossed House Bill No. 1026, I believe, would be in a blue form. It is not in any of the books."

The Speaker (Mr. O'Brien presiding): "Mr. Hansey, do you have House Bill No. 1026, with a House committee amendment?"

Mr. Hansey: "I have House Bill No. 1026 with one amendment, but I am not sure that is all of the amendments."

The Speaker (Mr. O'Brien presiding): "That is the only amendment to the bill. When the bill passed the House with this one amendment, then it became an engrossed bill. The procedure is that when a bill is sent over to the Senate, it is typed to include the amendments, which makes it an engrossed bill. We have a copy of the engrossed bill on the desk if you would like to see it."

Representatives Van Dyk and Charette spoke in favor of passage of the bill, and Representative Curtis spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1026, and the bill passed the House by the following vote: Yeas, 54; nays, 42; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Bluechel, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Fortson, Gallagher, Gaspard, Goltz, Hoggins, Jastad, Johnson, Kelley, Kilbury, King, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, Moon, North F., North L., O'Brien, Paris, Parker, Perry, Rabel, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Berentson, Blair, Ceccarelli, Cunningham, Curtis, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Juelling, Julin, Kalich, Knowles, Kuehnle, Leckenby, Matthews, McCormick, Morrison, Nelson, Newhouse, Pardini, Patterson, Polk, Pullen, Schumaker, Smythe, Swayze, Tilly, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Anderson, Kopet.

Engrossed House Bill No. 1026, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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 resolution was read the third time and placed on final passage.

Representatives Savage and Morrison spoke in favor of passage of the resolution.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 6, and the resolution passed the House by the following vote: Yeas, 82; nays, 14; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Parker, Patterson, Perry, Polk, Rabel,

Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Berentson, Flanagan, Gilleland, Hansey, Julin, Kuehnle, Leckenby, Pardini, Paris, Pullen, Schumaker, Zimmerman.

Not voting: Representatives Kopet, Van Dyk.

Engrossed House Resolution No. 6, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Mr. Charette, the House reverted to the third order of business.

#### MESSAGES FROM THE SENATE

September 8, 1973

Mr. Speaker:

The Senate has passed:

REENGROSSED SENATE BILL NO. 2136,  
 SUBSTITUTE SENATE BILL NO. 2143,  
 ENGROSSED SENATE BILL NO. 2229,  
 REENGROSSED SENATE BILL NO. 2235,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2264,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2447,  
 SENATE BILL NO. 2915,  
 SENATE BILL NO. 2942,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

September 9, 1973

Mr. Speaker:

The Senate has passed:

and the same is herewith transmitted.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2956,

Sidney R. Snyder, Secretary.

#### INTRODUCTION AND FIRST READING

REENGROSSED 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.

To Committee on Transportation and Utilities.

SUBSTITUTE SENATE BILL NO. 2143, by Committee on Constitution and Elections (Originally sponsored 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.

To Committee on Constitution and Elections.

ENGROSSED 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.

To Committee on Social and Health Services.

REENGROSSED SENATE BILL NO. 2235, by Senators Walgren and Herr:

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.

To Committee on Constitution and Elections.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2264, by Committee on Transportation and Utilities (Originally sponsored 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; defining crimes; and prescribing penalties.

To Committee on Transportation and Utilities.



ENGROSSED SUBSTITUTE SENATE BILL NO. 2447, by Committee on Judiciary (Originally sponsored by Senators Bottiger and Twigg):

AN ACT Relating to promotional contests; adding a new chapter to Title 19 RCW; and providing penalties.

To Committee on Commerce.

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.

To Committee on Education.

SENATE BILL NO. 2942, by Committee on Social and Health Services (Endorsed by Senators Jones, Greive, Woody, Van Hollebeke, Connor, Clarke, Woodall, Murray, Day and Herr):

AN ACT Relating to controlled substances; amending section 69.50.101, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.101 and declaring an emergency.

To Committee on Social and Health Services.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2956, by Committee on Ways and Means (Originally sponsored by Senators Mardesich, Atwood and Durkan - by Executive request):

AN ACT Relating to expenditures by state agencies and offices of the state; making appropriations for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; making other appropriations; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

HOUSE CONCURRENT RESOLUTION NO. 58, by Representative Charette:

Hearing testimony on the energy crisis.

MOTIONS

On motion of Mr. Thompson, the rules were suspended, House Concurrent Resolution No. 58 was advanced to second reading and read the second time.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 58 was placed on final passage.

Mr. Perry spoke in favor of the resolution, and the resolution was adopted.

MOTIONS.

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

On motion of Mr. Charette, HOUSE BILL NO. 1047 was rereferred from the Committee on Rules to the Committee on Financial Institutions.

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Monday, September 10, 1973.

LEONARD A SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, September 10, 1973.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

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

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1126, by Committee on Ecology. Endorsed by: Representatives Smith, Wilson, Beck, Valle, Charnley, Pullen, Nelson, McCormick, Kraabel, Bluechel, Zimmerman, North (Lois), Goltz and Bauer:

AN ACT Relating to air pollution; and amending section 9, chapter 193, Laws of 1973 1st ex. sess. and RCW (70.94.\_\_\_\_); declaring an emergency and providing an effective date; and providing for the expiration of certain provisions of this 1973 amendatory act.

To Committee on Rules.

## REPORTS OF STANDING COMMITTEES

September 9, 1973

HOUSE BILL NO. 288, Prime sponsor: Representative Kilbury, relating to agriculture, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 3 strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 84.36 RCW a new section to read as follows:

All year-old calves, sheep, and pigs shall be exempt from all ad valorem taxes. For the purposes of this section a 'year-old' calf, sheep, or pig means any such animal born on any date in the year preceding the current calendar year."

On line 1 of the title after "agriculture" and before the period insert "; exempting year-old calves, sheep, and pigs from the property tax; and adding a new section to chapter 84.36 RCW"

Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Hansey, Haussler, Laughlin, Schumaker, Van Dyk.

To Committee on Rules for second reading.

September 8, 1973

HOUSE BILL NO. 383, Prime sponsor: Representative Van Dyk, providing standards for approval of plats and subdivisions, reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Adams, Amen, Blair, Laughlin, McCormick, Nelson, North (Frances), North (Lois), O'Brien, Patterson, Smythe, Sommers, Zimmerman.

To Committee on Rules for second reading.

September 9, 1973

HOUSE BILL NO. 427, Prime sponsor: Representative Kilbury, providing regulations for the salvage of food, reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Benitz, Haussler, Laughlin, Van Dyk.

To Committee on Rules for second reading.

September 8, 1973

HOUSE BILL NO. 799, Prime sponsor: Representative Hayner, providing that county may let contract up to \$3000 without bid, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Adams, Amen, Laughlin, McCormick, North (Frances), Patterson, Smythe, Sommers.

To Committee on Rules for second reading.

September 8, 1973

HOUSE BILL NO. 842, Prime sponsor: Representative Swayze, providing for counties to promote cultural activities, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Adams, Blair, Laughlin, McCormick, North (Frances), North (Lois), Smythe, Sommers, Zimmerman.

To Committee on Rules for second reading.

September 9, 1973

HOUSE BILL NO. 1031, Prime sponsor: Representative Curtis, relating to the agricultural pesticide advisory board, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Hansey, Haussler, Laughlin, Schumaker, Van Dyk.

To Committee on Rules for second reading.

September 9, 1973

HOUSE BILL NO. 1039, Prime sponsor: Representative Kilbury, relating to water rights, reported by Committee on Agriculture.

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 finds that the people of the state of Washington by ratification of Referendum Bill 27 (chapter 43.83B RCW) recognize that the long-range development goals for the state must include the furnishing of an adequate supply of water for domestic and agricultural purposes. The legislature further recognizes that the people thereby authorized the sale of general obligation bonds to provide funds for the planning, acquisition, construction, and improvement of water supply facilities within the state.

NEW SECTION. Sec. 2. There is appropriated to the department of ecology from the state and local improvements revolving account of the general fund, the following sums:

(1) One hundred seventy-five thousand dollars, or so much thereof as may be necessary, less any sums provided by private or federal contributions, for a study and investigation of potential uses of warm effluent waters from the Hanford No. 1 and No. 2 reactors by Washington State University for agricultural purposes; and

(2) Seventy-five thousand dollars, or so much thereof as may be necessary, less any sums provided by

private or federal contributions, for a study and investigation of means and devices to control the temperature of warm effluent waters from the Hanford No. 1 and No. 2 reactors and other related warm water research; and

(3) One hundred thousand dollars, or so much thereof as may be necessary, less any sums provided by private or federal contributions, for completion of the irrigation project feasibility and reconnaissance study initially undertaken by the United States Bureau of Land Reclamation for the proposed East Banks Irrigation Project.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On line 1 of the title after "water" and before the period strike "rights" and insert "; authorizing expenditures for the operations of the department of ecology; making an appropriation; and declaring an emergency"

Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Haussler, Laughlin, Schumaker, Tilly, Van Dyk.

To Committee on Rules for second reading.

September 9, 1973

ENGROSSED HOUSE BILL NO. 1047, Prime sponsor: Representative Newhouse, regulating the interest rate upon public funds held as time deposits, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

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

"Section 1. Section 11, chapter 176, Laws of 1963 as amended by section 3, chapter 111, Laws of 1965 and RCW 32.12.100 are each amended to read as follows:

Any funds of the state and of any municipal corporation, taxing district, political subdivision, or political entity thereof, and any funds held in trust by or under the management of any of the above may be deposited or invested in a mutual savings bank.

All the deposits or investments must be fully insured by the federal deposit insurance corporation unless a mutual savings bank is a qualified public depository.

Sec. 2. Section 1, chapter 193, Laws of 1969 ex. sess. as amended by section 9, chapter 126, Laws of 1973 and RCW 39.58.010 are each amended to read as follows:

In this chapter, unless the context otherwise requires:

(1) 'Public deposit' means moneys of the state or of any county, city or town, or other political subdivision of the state or any commission, committee, board or officer thereof or any court of the state deposited in any

qualified public depository, including moneys held as trustee, agent, or bailee by the state, any county, city or town, or other political subdivision of the state, or any commission, committee, board or office thereof or any court of the state, when deposited in any qualified public depository;

(2) "Qualified public depository" means a state bank or trust company, mutual savings bank, savings and loan association or national banking association located in this state which receives or holds public deposits and segregates eligible collateral for public deposits as described in RCW 39.58.050 as now or hereafter amended;

(3) "Loss" means issuance of an order of supervisory authority restraining a qualified public depository from making payments of deposit liabilities or the appointment of a receiver for a qualified public depository;

(4) "Commission" means the Washington public deposit protection commission created under RCW 39.58.030;

(5) "Eligible collateral" means collateral which is eligible as security for public deposits pursuant to applicable state law;

(6) The "maximum liability" of a qualified public depository means a sum equal to five percent of all public deposits held by the qualified public depository as determined by the average of the balances of said public deposits on the last four immediately preceding reports required pursuant to RCW 39.58.100, less any assessments made under this chapter;

(7) "Public funds available for investment" means such public funds as are in excess of the anticipated cash needs throughout the duration of the contemplated investment period;

(8) "Investment deposits" means bank time deposits of public funds available for investment;

(9) "Treasurer" shall mean the state treasurer, a county treasurer, a city treasurer, a treasurer of any other municipal corporation, and the custodian of any other public funds.

Sec. 3. Section 12, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.120 are each amended to read as follows:

The public deposit protection commission shall from time to time fix the rate of interest to be paid by qualified public depositories upon investment deposits: PROVIDED, That time deposits issued pursuant to this chapter shall bear interest at a rate which would not be ((in excess of one hundred percent of the average bill rate at the last 8:9: treasury 94-day bill market auction or)) in excess of the maximum rate permitted by any applicable governmental regulation.

NEW SECTION. Sec. 4. There is added to chapter 39.58 RCW a new section to read as follows:

Savings and loan associations may qualify as public depositories, except as provided in section 5 of this 1973 amendatory act, for sums in excess of the insured amounts by complying with provisions of chapter 39.58 RCW.

NEW SECTION. Sec. 5. There is added to chapter 39.58 RCW a new section to read as follows:

When the commission determines that a loss has occurred at a savings and loan association, it shall as

soon as possible make payment to the proper public officers of all funds subject to such loss, pursuant to the following procedures: (1) For the purposes of determining the sums to be paid, the supervisor of savings and loan associations or receiver shall, within twenty days after issuance of a restraining order or taking possession of any savings and loan association then qualified as a public depository, ascertain the amount of public funds on deposit therein as disclosed by its records and the amount thereof covered by deposit insurance and certify the amounts thereof to the commission and each such public depositor; (2) within ten days after receipt of such certification, each such public depositor shall furnish to the commission verified statements of its deposits in such depository as disclosed by its records; (3) upon receipt of such certificate and statements, the commission shall ascertain and fix the amount of such public deposits, net after deduction of any deposit insurance, and assess the same against all savings and loan associations then qualified as public depositories, as follows: First, against the depository in which the loss occurred, to the extent of the full value of collateral segregated pursuant to this chapter; Second, against all other savings and loan associations then qualified as public depositories in proportion to their then maximum liability; (4) assessments made by the commission shall be payable on the second business day following demand, and in case of the failure of any savings and loan association then qualified as a public depository so to pay, the commission shall forthwith take possession of the eligible collateral segregated by such depository pursuant to this chapter and liquidate the same for the purpose of paying such assessment; (5) upon receipt of such assessment payments, the commission shall reimburse the public depositors of the savings and loan depository in which the loss occurred to the extent of the depository's net deposit liability to them."

In line 1 of the title after "funds;" strike the remainder of the title and insert the following: "amending section 11, chapter 176, Laws of 1963 as amended by section 3, chapter 111, Laws of 1965 and RCW 32.12.100; amending section 1, chapter 193, Laws of 1969 ex. sess. as amended by section 9, chapter 126, Laws of 1973 and RCW 39.58.010; amending section 12, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.120; and adding new sections to chapter 39.58 RCW."

Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Blair, Chatalas, Kelley, Luders, Moon, Pardini, Parker, Van Dyk.

MINORITY recommendation: Do not pass. Signed by Representatives Barden, Eikenberry.

To Committee on Rules for second reading.



## SECOND READING

HOUSE BILL NO. 457, by Representatives Bagnariol, Johnson and Gilleland:

Providing for payment for costs of relocating public sewer and water facilities located within the right of way of certain highways.

The bill was read the second time.

On motion of Mr. Perry, the second reading was considered the third, and House Bill No. 457 was placed on final passage.

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

## POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Perry, I notice in the language, particularly in section 2, that it refers to a publicly-owned sewer or water utility. I'm not quite sure how to describe or how to define 'publicly-owned.' Why is it so written? Why could not a privately-owned, a group-owned, or some other type of utility be reimbursed for relocation?"

Mr. Perry: "In 1961 we passed this bill. Julia Butler Hansen passed a bill in this House (I think it was House Bill No. 425, at that time), which dealt with just exactly what you are talking about--the compensation or reimbursement of investor-owned utilities--all utilities that were disrupted by the construction of a highway. The Supreme Court subsequently said that that was lending the credit of the state to a private party and ruled it unconstitutional. That is why we have it this way."

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 457, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Wanke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kalich.

House Bill No. 457, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 487, by Representatives Johnson, Kalich and Ellis:

Redefining certain elements of a lottery in order to allow consumers to participate in various promotional schemes.

MOTION

On motion of Mrs. Wojahn, Second Substitute House Bill No. 487 was substituted for House Bill No. 487, and the second substitute bill was placed on the calendar for second reading.

MOTION

Mr. Kuehnle moved that the House defer consideration of Second Substitute House Bill No. 487, and it be ordered placed on tomorrow's second reading calendar.

Representatives Kuehnle and Wojahn spoke in favor of the motion, and the motion was carried.

HOUSE BILL NO. 616, by Representatives Hurley, Blair, May, Laughlin, Douthwaite, Van Dyk, Charnley, Thompson and Lysen:

Requiring the approval of the department of ecology when a highway project is to be constructed.

MOTION

On motion of Mr. Charette, House Bill No. 616 was rereferred to the Committee on Rules.

HOUSE BILL NO. 1059, by Representatives Perry, Rabel, Sommers, North (Frances), Fortson, Valle, Eng, Johnson, Wojahn, McCormick, Maxie and North (Lois):

Establishing the Washington state women's council.

Committee on State Government recommendation: Majority, do pass with the following amendment:

On page 2, section 3, line 3 after "appointed for" strike "four-year" and insert "three-year"

The bill was read the second time.

On motion of Mr. Perry, the committee amendment was adopted.

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

On page 1, section 3, line 26 after "commencing" strike "July 1" and insert "October 1"

On page 3, section 11, line 14 after "effect" strike "July 1" and insert "October 1"

House Bill No. 1059 was ordered engrossed.

Mr. Perry moved that the second reading be considered the third, and Engrossed House Bill No. 1059 be placed on final passage.

#### POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Perry, is there an appropriation in this bill to carry it out?"

Mr. Perry: "I don't see any appropriation."

Mr. Pardini: "That is why I am wondering whether we ought to let it get off second reading before we appropriate the money in order to carry out the intent of the act."

Mr. Perry: "I am probably not qualified. This is now acting through the Governor's office, and I think it is temporarily funded."

Mrs. Wojahn: "If I may, Representative Pardini, I would like to respond to your question. In addition to some appropriations, or some support from the Governor's office, this bill would permit the Women's Council to seek private foundation funds and other funds, but we need the statutory authority to do so and we could probably free some money to assist."

#### POINT OF INQUIRY

Mr. Kopet yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Kopet, I will direct my question to you since Mr. Shinpoch isn't here. We have a fiscal note of some \$84,000 to implement this. How much money did we give in the last budget for the Women's Council? Do you know?"

Mr. Kopet: "Not having a photographic memory, I think about \$34,000. It was funded until the first of January of this coming year. I am sure to carry on the Council as it is, would require another \$50,000 or \$60,000 appropriation. I don't believe the money is available unless there is a subsequent appropriation. I would like to speak to Mrs. Wojahn's comments."

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "This is all somewhat out of order at this time. We are on a motion to advance the bill to third reading. I did give Mr. Pardini the opportunity to ask a question."

Mr. Pardini: "I'm sorry, Mr. Speaker, but the reason I am doing this is that if it goes to third reading and we don't have an appropriation here, it is beyond our reach to add the appropriation to it. I am doing this as a friend of the bill, hoping to add an appropriation to it so that we can carry out the effect of the bill."

The Speaker (Mr. O'Brien presiding): "The Speaker understands your motives and the Speaker is quite tolerant."

## PARLIAMENTARY INQUIRY

Mr. Perry: "Mr. Speaker, I made the motion, and are we about to act on the motion to advance the bill to third reading?"

The Speaker (Mr. O'Brien presiding): "You can withdraw your motion."

Mr. Perry: "I have no intention of withdrawing my motion. The situation seems obvious that the money is there to operate until January 1. I don't think this sets any sort of precedent. The Governor is operating the Department of Community Affairs with Mr. Hemstad without any money from this Legislature."

The motion by Mr. Perry was carried.

Representatives Perry and Wojahn spoke in favor of passage of the bill, and Representative Curtis spoke against it.

## POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Wojahn, some of us are a little concerned about the proliferation of some of these commissions and councils. I wonder if you could perhaps see the logic of the State Women's Council, which I believe will be created by this statute, being under the Human Rights Commission as opposed to a segment of the Office of the Governor?"

Mrs. Wojahn: "I would not be too receptive to that at this time, Representative Morrison, for the reason that the Human Rights Commission is burdened now with other area problems. I think that we need a separate identity, and I would be reluctant. Maybe two years from now it is possible, but I think now it should not be done. And I don't think it is going to be any more expensive handling it the way it is. One thing, the Women's Council is

composed of only fifteen members as opposed to the Status of Women Commission that functioned in this state under former Governor Rosellini and then again under Governor Evans. That commission was composed of about 75 or 80, which was not a functioning and workable group. We have a small group that is efficiently working and I think we should remain and hold our status for at least two more years."

Representatives Morrison and Hayner spoke against passage of the bill, and Representative Perry closed debate, speaking again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1059, and the bill passed the House by the following vote: Yeas, 65; nays, 31; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Portson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Pardini, Paris, Perry, Pullen, Rabel, Randall, Savage, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

Voting nay: Representatives Amen, Benitz, Berentson, Clemente, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hoggins, Juelling, Julin, Kelley, Kopet, Kraabel, Kuehnle, Matthews, Morrison, Nelson, Newhouse, Parker, Patterson, Polk, Schumaker, Tilly, Wilson, Zimmerman.

Not voting: Representatives Shipoch, and Mr. Speaker.

Engrossed House Bill No. 1059, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT RESOLUTION NO. 31, by Representatives Charnley, Brown and Perry:

Revising Article XXIII of the Constitution relating to amendments and revisions.

The resolution was read the second time.

On motion of Mr. Conner, the second reading was considered the third, and House Joint Resolution No. 31 was placed on final passage.

Representatives Charnley, Brown, King, Luders, North (Lois) and Savage spoke in favor of the resolution, and Representatives Newhouse and Kuehnle spoke against it.

Mr. Charnley closed debate, speaking again in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 31, and the resolution passed the House by the following vote: Yeas, 74; nays, 24; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hendricks, Hoggins, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Berentson, Cunningham, Eikenberry, Flanagan, Garrett, Hansen, Hansey, Haussler, Hayner, Hurley, Juelling, Julin, Kopet, Kuehne, Newhouse, Pardini, Paris, Polk, Pullen, Schumaker, Wilson, Zimmerman.

House Joint Resolution No. 31, having received the constitutional majority was declared passed.

HOUSE JOINT RESOLUTION NO. 41, by Representatives Brown, Charette, North (Lois) and Moon:

Amending the Constitution to permit a bill to take effect ninety days after the Governor's signature.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendments, see Journal for second day, September 9, 1973, 2nd ex. sess.)

The resolution was read the second time.

On motion of Mr. King, the committee amendment was adopted.

House Joint Resolution No. 41 was ordered engrossed.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed House Joint Resolution No. 41 was placed on final passage.

Mr. Brown spoke in favor of passage of the resolution, and Mr. Leckenby spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 41, and the resolution failed to pass the House by the following vote: Yeas, 61; nays, 37; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Jastad, Johnson, Kalich, Kelley, Kilbury, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hurley, Jueling, Julin, King, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

Engrossed House Joint Resolution No. 41, having failed to receive the constitutional majority, was declared lost.

## MOTION FOR RECONSIDERATION

Mr. King, having voted on the prevailing side, moved that the House do now reconsider the vote by which Engrossed House Joint Resolution No. 41 failed to pass the House.

## PARLIAMENTARY INQUIRY

Mr. Pardini: "Mr. Speaker, will this vote require a majority or a two-thirds vote?"

The Speaker (Mr. O'Brien presiding): "A majority vote."

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

## ROLL CALL

The Clerk called the roll on the motion by Mr. King that the House do now reconsider the vote by which Engrossed House Joint Resolution No. 41 failed to pass the House, and the motion was carried by the following vote: Yeas, 63; nays, 35; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury,

King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Jueling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

#### MOTION

Mr. Thompson moved that further consideration of Engrossed House Joint Resolution No. 41 be deferred, and that it be placed on tomorrow's third reading calendar.

#### POINT OF ORDER

Mr. Julin: "Mr. Speaker, it seems to me that the last vote was the motion to reconsider this matter immediately. That vote carried. The effect of this motion is to overrule that decision of the body and we are voting on the same issue twice."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "The vote that carried was to place Engrossed House Joint Resolution No. 41 on third reading again with the same status as it had before the vote was taken that caused its failure. So by reconsideration, the bill went back on third reading. At that time the body had the decision whether to act again on final passage or to make some other motion. Mr. Thompson moved to defer further consideration on the bill until tomorrow. That is the question before you now."

Mr. Julin: "You left out the significant word. The motion said to reconsider immediately, and now we are overruling that decision."

The Speaker (Mr. O'Brien presiding): "No, we are not. We did move to reconsider immediately, and it carried. That was one step which was accomplished."

The motion by Mr. Thompson was carried.

#### THIRD READING

ENGROSSED HOUSE BILL NO. 446, by Representative Randall:

Pertaining to property taxes.

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

Representatives Sommers and Swayze spoke in favor of passage of the bill.



## POINT OF INQUIRY

Mr. Swayze yielded to question by Mr. Eikenberry.

Mr. Eikenberry: "Representative Swayze, for the purpose of the record, would you state the intent of the language which you questioned: That is, the statement of the county being a taxing district and what effect that would have on the six percent ceiling?"

Mr. Swayze: "My objection was that an entire county in the bill is defined as a taxing district to which the bill is addressed. And then later language in the amendatory portion of the bill says that if any property within such taxing district has not been revalued in the reevaluation cycle as previously ordered by law, that then the lid will not apply to such entire taxing districts. I think the language still says that. I think that from a standpoint of legal language, it would still be possible legally to lift that lid on the portions of a particular county which have been previously revalued, but for all practical purposes, I have been convinced that since the assessment, the revaluations, the millages have already been fixed, and the levies have already been completed for those particular areas of the counties. I have been assured that there is no intent on the part of any county to go back and redo the millages and the levies on that property that has already been revalued for the one year for which this lid is lifted. I accept that assurance from those people in good faith, and hope that both the Department of Revenue and the local counties and the county assessors will follow that intent and really interpret and implement this bill in good faith and in the manner in which it is intended."

Mr. Eikenberry: "Thank you. In view of my experience, and interpretations by the Department of Revenue of the law, I believe your statement in the record could be very helpful."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 446, and the bill passed the House by the following vote: Yeas, 76; nays, 22; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Rabel, Randall, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Bausch, Charette, Conner, Cunningham, Curtis, Eikenberry, Freeman,

Garrett, Gilleland, Haussler, Hayner, Hendricks, Julin, Leckenby, Lysen, Pardini, Polk, Pullen, Savage, Tilly, Wilson.

Engrossed House Bill No. 446, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Through an error I voted "No" on Engrossed House Bill No. 446. I wish the Journal to say that I intended to vote "Yes."

JOE D. HAUSSLER, 7th District.

#### STATEMENT FOR THE JOURNAL

We, the undersigned members of the House of Representatives, voted for Engrossed House Bill No. 446, which lifted 106% revenue limit for taxing districts who had not had an opportunity to utilize the revenue generated through reevaluation. Due to the revenue figures submitted by the assessor of Whitman County which indicate a substantially smaller increase than the Department of Revenue estimates which would have been excessive.

OTTO AMEN, 9th District,  
E. G. "PAT" PATTERSON, 9th District.

#### STATEMENT FOR THE JOURNAL

I intended to vote "Aye" on Engrossed House Bill No. 446, but didn't become aware that I was inadvertently voting "Nay" until after the voting machine was locked.

WILLIAM M. POLK, 41st District.

#### PARLIAMENTARY INQUIRY

Mr. Julin: "I call your attention to the provisions of Revised Rule 70 which we adopted. It says 'Provided that during the second extraordinary session of the forty-third legislature reconsideration can be had only on the day the vote to be reconsidered was taken.' In light of that rule, I ask the Chair whether or not Mr. Thompson's motion to reconsider tomorrow is in order?"

The Speaker (Mr. O'Brien presiding): "Your question, Mr. Julin, is really out of order. Action has been taken by the body to defer action--to defer the bill until tomorrow. Your question in many respects isn't timely. I have already ruled on the fact that the vote was taken immediately on reconsideration, which is in order and according to our rules. I really don't understand why you are raising the question again. If you have a little time maybe after the session we could get together and talk about this."

Mr. Julin: "I believe the purpose of the rule change that was adopted by your majority was for the purpose of expediting the business of the House. This rule is there at your request, and it seems that we ought to abide by it. I am simply asking the Chair to rule on the applicability of that particular rule. I have not made a point of order, I am asking the Chair to rule."

The Speaker (Mr. O'Brien presiding): "Everything was in order. The reason this rule change was made, is that prior to this in our regular rules, adopted for the regular session, you could only reconsider on the next working day. You served noticed on one day, and on the next working day the motion was placed for reconsideration. So the change was made to reconsider immediately for the purpose of expediting our work. So this was done. The motion was made to reconsider the bill immediately. This action was taken and it had the approval of the majority of the body. So we were in order all the way, and the bill did come back for reconsideration at that time. On reconsideration, the object of it, of course, is to place it right back to where it was before the vote was taken. This was accomplished. Then the House decided to defer further consideration on it until tomorrow, so everything is according to our House rules."

## THIRD READING

ENGROSSED HOUSE BILL NO. 191, by Representative Randall:

Relating to revenue and taxation.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of final passage of Engrossed House Bill No. 191. (See yesterday's Journal for previous action.)

The House resumed consideration of Engrossed House Bill No. 191 on third reading.

Representatives Sommers and Perry spoke in favor of passage of the bill, and Representative Newhouse spoke against it.

## ROLL CALL

The Clerk called the roll on the reconsideration of final passage of Engrossed House Bill No. 191, and the bill failed to pass the House by the following vote: Yeas, 45; nays, 52; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bender, Blair, Brown, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Ellis, Eng, Erickson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Julin, Kelley, King, Knowles, Kraabel, Leckenby, Luders, Lysen, Martinis, Maxie, North L., O'Brien, Parker, Perry, Rabel, Randall, Shinpoch, Smith, Sommers, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Anderson, Barden, Bausch, Beck, Benitz, Berentson, Charette,

Clemente, Cunningham, Curtis, Ehlers, Eikenberry, Flanagan, Fortson, Garrett, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, Kopet, Kuehnle, Laughlin, Matthews, May, McCormick, Moon, Morrison, Nelson, Newhouse, North P., Pardini, Paris, Patterson, Polk, Pullen, Savage, Schumaker, Smythe, Swayze, Thompson, Tilly, Van Dyk, Wilson.

Not voting: Representative Bluechel.

Engrossed House Bill No. 191, having failed to receive the constitutional majority, was declared lost.

#### PARLIAMENTARY INQUIRY

Mr. Charette: "There is a list of four bills to be referred from Rules to various committees. Would it be proper for me make that in one motion?"

The Speaker (Mr. O'Brien presiding): "If there are no objections, the motion would be in order."

#### MOTION

Mr. Charette moved that ENGROSSED HOUSE BILL NO. 14 be rereferred from the Committee on Rules to the Committee on Social and Health Services; ENGROSSED HOUSE BILL NO. 385 be rereferred from the Committee on Rules to the Committee on Agriculture; ENGROSSED HOUSE BILL NO. 530 from the Committee on Rules to the Committee on Agriculture; and HOUSE BILL NO. 1077 from the Committee on Rules to the Committee on Commerce.

The motion was carried.

#### MESSAGES FROM THE SENATE

September 9, 1973

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 58,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

September 9, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2102,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

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

## INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2102, by Committee on Ways and Means (Originally sponsored by Senator Durkan):

AN ACT Relating to revenue and taxation; amending section 1, chapter 141, Laws of 1973 1st ex. sess. (uncodified); amending section 3, chapter 141, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_.); amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 5, chapter 141, Laws of 1973 1st ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 6, chapter 141, Laws of 1973 1st ex. sess. and RCW 82.12.030; amending section 82A-3, chapter 141, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_.); amending section 82A-4, chapter 141, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_.); amending section 82A-5, chapter 141, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_.); amending section 82A-6, chapter 141, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_.); amending section 82A-8, chapter 141, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_.); amending section 82A-9, chapter 141, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_.); amending section 82A-10, chapter 141, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_.); amending section 82A-11, chapter 141, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_.); amending section 82A-22, chapter 141, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_.); amending section 82A-30, chapter 141, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_.); amending section 82A-31, chapter 141, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_.); amending section 82A-33, chapter 141, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_.); amending section 82A-34, chapter 141, Laws of 1973 1st ex. sess. (\_\_\_\_.); adding a new section to chapter 141, Laws of 1973 1st ex. sess. and to chapter (\_\_\_\_) RCW; repealing section 4, chapter 141, Laws of 1973 1st ex. sess.; creating new sections; adding a new chapter to Title 82 RCW; and prescribing an effective date and an emergency.

To Committee on Ways and Means - Revenue.

The Speaker assumed the Chair.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE CONCURRENT RESOLUTION NO. 58.

MOTION

On motion of Mr. Charette, the House recessed until  
6:45 p.m.

## EVENING SESSION

The House was called to order at 6:45 p.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representative Lysen who was excused.

## JOINT SESSION

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

The Speaker (Mr. Charette presiding) invited the Senators to seats within the House and 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 (Mr. Charette presiding) 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.

The Clerk called the roll of the House and all members were present except Representative Lysen who was excused.

The President: "Honored members of the Legislature, ladies and gentlemen: The purpose of this joint session is to discuss the Northwest energy shortage. The President at this time should like to respectfully request of the Honorable Robert Perry, member of the House of Representatives, to introduce the first witness."

Representative Perry: "Thank you, Governor Cherberg. Fellow members, Senators and Representatives: Due to the unusual request of the Governor for emergency powers to avert a crisis or disaster in this energy area, after eight hours of intensive hearings between the Senate Transportation and Utilities Committee and the House Transportation and Utilities Committee, we felt that there wasn't any way that we could possibly--due to the short period of time that we are going to be in this session, and due to the scope of the powers asked for by the Governor--inform our fellow members as to the seriousness of the power crisis that is upon us. We had a meeting Wednesday, and we subsequently had one Friday night and Saturday night. And I want to thank all of the members of the Transportation and Utilities Committee who sat through that and who have again come this evening. I am sure that after the prominent panel of speakers are finished this evening (they will take about one hour to make this presentation) then there will be questions afterward with the permission of the President of the Senate. So without

further ado, unless Senator Walgren has something to add, I would like to introduce Mr. Don Hodel who is Administrator of the Bonneville Power Administration."

Mr. Don Hodel: "Lieutenant Governor Cherberg, Mr. Speaker, Representative Perry, Senator Walgren, members of the Legislature: I can hardly say that it is a pleasure for me to be here tonight. I was sworn into this job as Administrator of Bonneville on December 1, 1972. Bonneville didn't start curtailing loads until December 4. And had somebody predicted that I would be here tonight in this position, I would have said 'You are the greatest prophet of doom and gloom ever seen on the face of the earth because it would take record setting low water in the Pacific Northwest to bring us to this state of affairs.' And we are there.

"During the spring, several times we had the opportunity to point out along the way that instead of the 90 million acre feet that we had anticipated the runoff would be this spring, it was dropping. Each month that our forecast was made, we dropped it, because the water in the rivers plus the rainfall and the snowfall that we could see ahead just wasn't adequate. As late as June, we were still anticipating a 77 million acre foot runoff. In fact as of July 31, we had a 70.7 million acre foot runoff which was one of the lowest of record.

"In July, after anticipating that we would conceivably be in the position of curtailing additional industrial loads in the Pacific Northwest by October or November, or September or October, if the water conditions remained bad, we found it necessary to add to the woes of the industrial customers in this region by curtailing their loads additionally over the April cutoffs, with which I am quite sure you are familiar because it occurred during the prior session. The effect of those curtailments, of our curtailments, has been a loss in the neighborhood of 1,100 jobs in this region.

"Now today, we are faced with a prospect, as we see it, as grim as any we have ever faced. I have asked that material be passed out to you which we have labeled: 'Fact Sheet Power Situation, August 31, 1973.' I do not intend to read through this paper. It speaks for itself. I would like to highlight certain aspects of it. The loads and resources picture as we see it, over the 20 1/2 month critical period which begins in mid-August, 1973, and ends at the end of April, 1975--that 20 1/2-month critical period finds this region normally requiring about 200 billion kilowatt hours of electricity to meet its loads. Our present estimates of the reservoir levels are that we are about 15 billion KWH short of the storage required. Now 85 percent of the load in this region is met by falling water--by electricity generated by falling water. Fifteen percent is met by other sources--coal, oil, natural gas and imports from steam plants and, of course, nuclear from the Hanford Reservation. This means that whereas in the rest of the country the President can provide immediate relief if he succeeds in changing some of the air quality standards that apply to coal-fired generation in the east, he cannot do the same thing in this region because we do not have an adequate thermal resource base to make that

possible.

"The precipitation, snowpack and rainfall figures simply augment what I have said about the lowest rainfalls of record. Our reservoir capacity is 46 billion KWH worth of water. Normally at this time of year we should have 45 billion KWH in our reservoirs. We have 30 billion in them. Our deficiency, as I have indicated, is 15 billion KWH.

"I would just like to highlight that if we do not obtain a reduction in our loads and if our water conditions should improve so that they are as good as the worst prior year of record--if we can get up to that glorious state--we will find that we have by March of 1974 about a 3.2 billion KWH deficit and we will find ourselves about 30 percent of our firm load short of being able to meet our load. That is the equivalent of approximately 200,000 households of electricity for a full year's use.

"Now identifying in this paper other causes of the deficiencies, the effect on interruptable industry, the situation with regard to provisional energy, the changes in our firm load and power from outside the region (which I understand, should the decision be made to answer questions, I would be very happy to comment on those) I would like to draw your attention to some of these graphs and charts.

"The first one which is labeled 'January-July runoff at the Dalles in millions of acre feet' points out that 1963 was our median year. That was the midpoint in all of the years runoff that we have experienced. This year, 1973, as you see, is on this chart the sixth worst on record, and overall in 95 years represents the 10th worst runoff of record. That is what results in the situation which is pictured on the next chart. The status of the Pacific Northwest storage reservoirs as of September 1, 1973--they should be drawn down about one billion KWH from full. In fact they are 16 billion KWH from full and contain 30 billion KWH. Mind you we continue to have stream flow throughout the year, so that this storage is intended to augment the reducing stream flow as the precipitation that falls in the mountains takes the form of snow and is not available to us until the spring runoff.

"Now the next chart is a hydrograph of the natural stream flow at Grand Coulee. The heavy black line which only goes about as far as the 7th of September or so, represents this year's stream flow--natural stream flow at Grand Coulee. Of course, that has to be computed because now the stream flow at Coulee is regulated, but the natural stream flow at Coulee this year, as you can see, is below the lowest previous stream flow of record which is 1936-37. And in fact, it is because of that fact that we find ourselves 15 billion KWH short instead of the 13 billion that we were predicting as late as mid-August would be the case. Largely, that is a reduction in stream flow below even the lowest year of record.

"I have to say here we want to emphasize, and we try to time and again, that it is entirely possible that beginning tomorrow we could revert to average rainfall or median conditions or better than average conditions. And we are not in a position to predict that just because it has been this bad today that it is going to continue to be as bad.



"But before we take too much hope from that, I would remind you that on December 5, when I was complaining about having to call for cutbacks as soon after I was sworn into office as I was, somebody said to me 'Well, it can only go uphill from here.' It hasn't. And the Swedish experience in 1969-70 was that after a low runoff of record--one of their lowest runoffs of record--their hydrologist advised them there had never been, historically had never been, a cold-record-setting winter following that kind of a summer. Based on that, the Swedish government concluded they would not enter into a rigorous conservation curtailment and mandatory curtailment program. Instead of that they concluded it would be appropriate to gamble that the weather would improve. It didn't improve. They set a new record, having had therefore a cold spell following a low runoff. They found themselves faced with much more massive curtailments than would otherwise have been the case.

"In our case, our indications are that if we are to get through this winter with the 7 1/2 percent average load reduction that we have talked about--we need to start soon. Now is perhaps too strong a word, but soon. I have said for three weeks now that if the Defense Electric Power Administration existed today with the authority it had in 1952, we would be appealing to the federal government to issue mandatory curtailment orders in the Pacific Northwest. I think the situation is that serious. I think we will be accused of irresponsibility if we have not done something soon about this situation, if it turns out that we continue to set records.

"On the other hand, we all have to reckon with this fact: That if we curtail rigorously the loads in this region, and then nature blesses us with a good runoff, we will be accused of having cried 'wolf' one more time. I have no solution to offer you for that fact, except to say that I would rather be accused in a good water winter of having cried 'wolf' but gotten the job done, than to find ourselves in March this coming year faced with massive curtailments of the magnitude of 30 percent, and sit back and say (I visualize myself in front of the United States Senate committee on this rather than the state of Washington or the state of Oregon, but explaining to the Chairman of the Senate Interior Committee that) 'Yes, we saw the problem arising, sir, but as far as what we did about it--we just worried a lot.'

"Now the next chart shows the September to March runoff at The Dalles. The median, as you can see, was the 1938 year. Last year was not too far off the median. What happened to us, of course, we didn't get much snowfall. This year we don't know--we can't predict it, but as you can see, if we continued the same percentage below the previous year of record, we would find ourselves setting an all-time record for low runoff. That is the question mark at the far right of the chart.

"The next chart talks about the Pacific Northwest coordinated system--1973-74. We are talking about firm energy. The first line illustrates the loads, and you will notice that those loads grow on a monthly basis as we get into the colder period of the year. Our resources based on 1936-37 water (the lowest year of record) shows hydro resources by month. The next line shows our thermal or

steam-generated resources by month. We total those and we find that by February, March and April, without some kind of cutback, and without an improvement in the water conditions, we are between 25 and 30 percent deficient in the month of March.

"And I must say again these are all assumptions. They are simply forecasts. I cannot predict the weather any more successfully than the long-range weather forecasters we have been paying good money to over the years.

"The last chart I have thrown in, somewhat gratuitously, simply to illustrate, I think, an important point. The kind of legislation which you are considering, which the state of Oregon has, which Idaho and Montana are considering, may not prove to be a one-shot proposition. What is not shown on this chart is that in 1973-74, the left hand side of the chart, we had forecasted surpluses. This year we had forecasted surpluses in the peaking capacity of 55 megawatts, in the average energy of 297 megawatts, whereas, in fact, we are facing nearly a thousand megawatt deficit--or a million kilowatt deficit. There is a present schedule listed here, and a present schedule with possible delays. If you look at the present schedule with possible delays, you will see that we are deficit both in energy and peaking capacity from now on. And I am advised today by the Washington Public Power Supply System that Hanford Plant No. 2, previously scheduled for September, 1977, will not be on line. It will be delayed a year, until September 1978 at best. That Washington Public Power Supply System No. 1 which is the rebuild of the Hanford N Reactor will be rescheduled shortly for September, 1981 instead of September, 1980. These represent one-year slippages. What I think I have to say is that realistically today, looking ahead, we have got to face the fact that the present schedule with possible delays is far more likely to be the real world of electric supply in this region than is the present schedule.

"Now these are alarming circumstances to all of us. Especially to those in the interconnected power system of this region. When we made our appeal, we found out that not every utility in the region followed suit. In fact, in December of 1972 when I made our appeal for Bonneville, there were a number of utilities that said (they were buying power from us at the time) their position was 'well, really that isn't our problem, that's Bonneville's problem.' We had a number of discussions following that period. And we looked into the realities of the interconnected systems and we learned one alarming situation, and that is this: That if Bonneville is short--everybody is short. If Washington Water Power, or Portland General Electric, or Idaho Power, or Chelan County PUD--and incidentally, I picked some systems there that are far from being short themselves--but if any single utility in this system is short, we are all short. Because we are interconnected, it is physically not feasible for us to go out and cut those lines with the adjacent utilities.

"I asked our engineering staff to make a study for me to find out if it would be possible to segregate our system from that of Portland General Electric Company when it appeared they would not get the Harborton Generators.

It now appears they will. I was advised it was technically not feasible for us to cut them off. We have spent years in this region trying to build a reliable power system, an integrated grid, and we have done it. So we all find ourselves in this thing together.

"I think there is one last thing I should comment on. Secretary Morton was here in the state of Washington just a couple of weeks ago--on August 18, as a matter of fact. At that time, in a press conference, the Secretary made this statement in response to the question of what about a mandatory curtailment program or curtailment instituted by the utilities. He said this: 'Whether BPA and the utilities acting in concert can and should undertake a broad-based curtailment program is open to question. Certainly our Constitution reserves certain rights to the individual states. And these presumably include state energy rights. It would, therefore, appear that any curtailment program devised by the utilities be approved, administered and enforced by the states in the region. If the states abdicate this responsibility or are unable to agree upon a uniform workable curtailment plan, I think it is inevitable that the federal government will step in.'

"I think it is appropriate to mention that last week Governor Love, who is now responsible for the energy programs of the administration, requested the Secretary of the Interior to establish an emergency contingency curtailment plan for the Pacific Northwest. And Friday I was supposed to be with Mr. Brazier and the members of the Public Utility Commissions of Oregon, Washington, Idaho and Montana in Boise, but I remained in Portland to meet with two people sent up by the Department of Interior to look into a federal mandatory curtailment program. We argue that the Secretary's policy statement makes plain this is the responsibility of the states. But the federal government is taking this view, that it cannot be found wanting if it turns out this does not prove to be a suitable arrangement. Thank you."

The President: "The next speaker will be Mr. E. F. Timme, Director of Coordination, Northwest Power Pool, speaking on the subject 'Current Status: Northwest Power Pool Operations.' Mr. Timme."

Mr. E. F. Timme: "Lieutenant Governor Cherberg, Mr. Speaker, members of the Washington Legislature: As indicated in the introduction, I am Director of Coordination of the Northwest Power Pool. My function, along with that of my staff, is to coordinate the short-term operational planning and the coordinated operation of the Northwest Power Pool utilities in conjunction with the utilities. I might take just a moment to briefly review what the Northwest Power Pool is, because this has been a matter of confusion in the past few weeks.

"The Northwest Power Pool is made up of 18 major utilities or agencies throughout the Northwest. It consists of eight investor-owned systems, three federal agencies, three municipals, three public utility districts, and one provincial system in British Columbia. It covers a service area that includes all of the states of Oregon,

Washington and Idaho, part of northern California, a small part of northern Nevada, most of Utah, a small part of Wyoming, most of Montana, and the province of British Columbia.

"The shortage area that we are speaking to tonight consists of at least (and I say at least because this shortage area, or the region that is faced with this shortage area has not really been completely defined yet), but at least it consists of those systems serving Oregon, Washington, northern Idaho, western Montana, and part of southern Idaho.

"Another point that I would like to impress on you gentlemen and ladies: The interstate nature of the electric utility business here in the Northwest--all the major systems are either interstate as far as their service areas are concerned, or they are interstate as far as their contractual exchanges with other systems throughout the Northwest, and for that matter the entire western half of the United States.

"Now as far as the current situation, I can only confirm all of the comments that Don Hodel has made as to our current status. I have used somewhat different terms in describing the current shortage that we face as far as the deficiency in reservoir storage. Don referred to it as 15 billion kilowatt hours. We use a somewhat different term: Kilowatt months. And the equivalent figure is 20,700,000 kilowatt months. A kilowatt is 1,000 watts generated continuously for a full month. Last week in talking to the Western Conference of State Governments (not to sensationalize this by any means, but to try to impress on those present the size of this current deficiency) we compared it to shutting down the entire city of Seattle for a 24-month period. This is what this current deficiency is equivalent to in terms of electric load here in the Northwest.

"Now another measure that Don also referred to in his comments, and some of his charts, was the current level of the flow in Northwest streams. We assess this on a weekly basis, and for the week ending last Thursday, September 6, what we call the natural flow in all the rivers and streams in the Northwest was equivalent to 4 million kilowatts below the normal level for this first week in September.

"Now as to the future outlook: To the extent that subnormal precipitation should continue, to the extent that those limited thermal plants that we do have in the Northwest are limited by fuel, to the extent that existing plants such as Centralia or Hanford are limited in their operating capability, and to the extent that new plants such as Harborton, the combustion turbines that were supposed to have been installed on September 1st, to the extent that the Bridger Thermal Plant in western Wyoming, which will be used to serve the southern Idaho area, to the extent that Huntington Canyon in Utah that will be used to serve the Utah area, to the extent that any of these conditions occur, that any of these units are delayed and these other conditions occur, then we can expect a continuation of our present situation. And it possibly could be a continued deterioration. On somewhat the more optimistic side, if we can--if Mother Nature smiles on us

in these coming fall months and provides about two or three times normal rainfall in October, November and December, this will go a long way toward helping to alleviate or delay any mandatory curtailments.

"Many of you may know the utilities have launched energy conservation programs throughout the Pacific Northwest. They have launched a voluntary curtailment program with all of their customers and are making personal contacts with their major customers, and we hope that this will bear fruit. However, we do not expect that all the voluntary curtailment that we can get will alleviate the necessity to have a mandatory curtailment plan to fall back on in case we need it. Thank you."

The President: "Thank you very much, Mr. Timme. Our next speaker will be Mr. Gordon Culp, Counsel for the Pacific Northwest Utilities Conference Committee. Mr. Culp."

Mr. Gordon Culp: "Mr. President, distinguished members of the Legislature: You have heard from the previous speakers a description of the physical problems that we face. More from a legal than perhaps a legislative standpoint, I think I can characterize it by saying that we have, as you can see, a present emergency and a potential disaster. Now, an emergency meaning we are so far behind where we should be that every day that extraordinary steps are not taken leaves a greater and greater chance that we would not be able to avoid a really disastrous cutback in electric service. As someone said, it is a little bit like the game of roulette. We can keep hoping that the weather will get better--wetter, in this case. Hoping that voluntary programs will work. And I suppose you can make the argument that the probabilities are whatever you would choose as to whether we would be able to avoid deep mandatory cuts. But like in a game of Russian roulette, where the odds are always six to one in the players' favor, the results are not thought to justify those odds in polite company, and I think the same thing is true here.

"We were faced in looking at this, to analyze as you have heard here, what kind of a system we are facing and how a standby mandatory program could be put into effect. First of all, as you have heard, it is and must be a regional problem. It cannot be made a state problem. The system doesn't work that way, and there is no way you can make it work that way. So we searched for ways to coordinate, or at least get parallel actions, in the various states that were necessary in order to have an effective program. The four states Mr. Timme mentioned. We looked at numerous possible federal methods of controlling this situation. As Mr. Hodel mentioned, some of them are looking at us. We also investigated that possibility. I can't say that we briefed every single part of the powers of the various federal agencies that might become involved because almost all of the utilities that we talked to and practically everyone else we talked to thought that for numerous reasons it would be advisable if this matter could be handled on a state level.

"So we searched for ways that a regional problem could be handled on a state level--pretty much dispensed

with the idea of there being an interstate compact because of all the time-consuming and very unwieldy problems that go into putting into and managing an interstate compact. And although we need to have similar actions in all four states, I don't think it is true that you need to have identical legislation in all four states. However, there has to be some residue of state authority that can order these identical actions, in order to make it work. Now the reason for this is that electric service is provided under a host of different arrangements, and different jurisdictions. There are all kinds of different contracts. There are different agencies in different states that control how it is managed. In the state of Washington, for instance, you have about sixty percent of the consumers served by public agencies and only forty percent being regulated electric companies under the direct control of the Washington Utilities and Transportation Commission. In other Northwest states that percentage is reversed--more than reversed. A high percentage are under regulated utility companies.

"So we suggested and have been trying to think through how we could get the common denominator and what we arrived at was to try to encourage similar powers in all four states, whereby some appropriate and effective state power could, in cooperation with the other three states, agree on and enforce a uniform regional program for mandatory curtailment if that became necessary.

"One of the most difficult points, and one that I am sure you will recognize as you get into the legislation itself on this matter, is the jurisdictional questions raised on all kinds of federal-state problems. Our good friend Mr. Hodel and the BPA have all kinds of contracts directly with some industrial users. They have contracts with utilities. We just have to have a way so that the very large amount of energy that is provided by the federal government can also come within this state regulation.

"In order to do that, we proposed a system where the curtailment programs would apply to the end user--not to the utilities where it may or may not be effective, depending on who their contracts are with, etc. But we perceive that all the end users within the state of Washington are within the police power of the state of Washington. The same being true in the other four states, and that if the curtailment plans could apply directly to the user, that we could have an effective method of regional curtailment. Now this doesn't mean that utilities won't have to help in this. They will. The Governor in this case, or a committee that is being discussed, or any state--whoever is administering this--is going to need advice from the utilities as to what is technically possible as far as cutting back electric usage. Some things, as equitable as they may sound, just physically cannot be done. And above all, an emergency measure such as this, has to be technically possible. If it falls apart, it falls apart--however good our intentions may be.

"One other thing is that the utilities have at their disposal, of course, a huge amount of information which is kept up in some cases daily, weekly, monthly. A large part of the information is computerized and their help will be needed on many of these things, but essentially as we have

thought of this, we have thought of the utilities, carrying out the governmental orders, and using their ability to do so. But the orders have to come from the government--the state in this case. Now I don't want to dwell on this too much further. Another thing we thought was good, was that it should be a temporary measure--a clean measure. It is an emergency. We tried very hard not to get it wrapped up with other things which might not be as emergent, and to get over this problem which is a water problem now. As you have heard, when the falling water doesn't fall we have trouble and we have to deal with it. We have tried to keep this in a temporary measure--leaving it to the full session of the Legislature if in their wisdom, they choose to look into this matter further, to be able to do it when they have time to study it.

"Finally, the purpose, as far as the Pacific Northwest Utilities Conference Committee has worked on this--the purpose was and is to come out with a fair pattern of end use that will permit the usage to be reduced on as equitable a basis as possible to prevent a system failure. I say it has got to be as fair and as equitable and certainly that is the intent. We have to keep in mind that the whole purpose of this is to prevent a system failure. The ultimate of a system failure is a blackout, and the blackout we submit is the ultimate unfairness. So we have to be as fair as we can within the physical limitations of the system. And that is what our proposals are intended to do. Thank you very much."

The President: "Thank you very much, Mr. Culp. The next speaker will be the Honorable Don Brazier, Chairman of the Utilities and Transportation Commission, speaking on the subject 'The Role of the Executive Branch in Power Curtailment.'"

Mr. Donald Brazier: "Distinguished members of the Senate and House: I am Donald Brazier, Chairman of the Washington Utilities and Transportation Commission. I am accompanied here this evening by my fellow commissioners, Francis Pearson and Elmer Huntley. We have been involved in and concerned with the impending electrical power shortage insofar as our duties encompass the regulation of the investor-owned utilities in our state for quite some time; especially since it became evident last winter that our snowpack was deficient to provide for normal hydroelectric generating requirements this impending winter, absent further substantial precipitation. Additionally, as a member of the Governor's Council on Energy Policy, I have, for the past several months, been conducting an investigation of the short-term petroleum and electricity crisis, as chairman of the task force assigned to that specific problem.

"I would, therefore, like tonight to discuss with you the activities to date of the Utilities and Transportation Commission and of the Governor's Office via the Energy Council in preparing for impending problems of electricity supply and to present some ideas of the possible state role in meeting this crisis in the months to come.

"The possibility of an electrical power shortage

this coming winter became evident when we entered the spring of this year with a much lower snowpack and resultant lesser runoff than is normal. Over the course of the summer the situation has gradually deteriorated, as you have heard tonight from Mr. Hodel and Mr. Timme. In monitoring this deterioration the Utilities and Transportation Commission has worked closely with three investor-owned electric utilities subject to commission regulation, the Bonneville Power Administration (and with representatives of the publicly-owned utilities) in an effort to gather and analyze the relevant data so that we could immediately take the necessary steps to regulate the investor-owned utilities in a conservation procedure and advise the Governor and the Legislature of the necessity of developing contingency plans for energy conservation insofar as the unregulated public utilities are concerned.

"In addition, and very importantly, the commission has been concerned from the beginning that any effective state action to encourage, and if necessary, mandate conservation of electricity must be coordinated on a regional basis with our neighboring Northwest Power Pool states. Therefore, in monitoring the situation this summer we have been in continuing contact with the utility commissions of our neighbors, culminating last week in a two-day joint meeting in Boise, Idaho of the Oregon, Idaho, Montana and Washington commissions and their staffs to develop a unified approach in meeting our regional crisis. At this Boise meeting, the four commissions unanimously adopted a statement directed to their respective governors, asking for a regionally unified three-phase approach such as has already been implemented by Governor Evans in his executive order and proclamation of September 6th. The first phase is an immediate 10% reduction in all state and local government consumption of electricity. The second phase is an appeal by each governor to the citizens of his state to voluntarily curtail all nonessential consumption of electricity in their homes, businesses and factories.

"Lastly, phase three anticipates development by each state of a mandatory curtailment program to be implemented directly on the ultimate user of electricity, if the all-out voluntary program fails to adequately remove our deficit of power. It was recognized by all the commissions that each state must examine its own authority to implement such a mandatory program and obtain legislative directive if at all possible as soon as possible. The mechanics of a bill empowering mandatory curtailment is, of course, what you are concerned with in this legislative session.

"When it became evident late in August that a voluntary and contingent mandatory conservation program should be instituted at a state level, the governor's council on energy developed very similar recommendations to the Governor as those developed by the four state commissions. The council continues to gather and evaluate the constantly changing data from the utilities and the Bonneville Power Administration so that it may intelligently advise the Governor as the situation develops. Likewise, these recommendations are virtually identical to those adopted by the Council of State Governments at their session in Seattle last week.

"The Washington Utilities and Transportation



Commission also is continuing to work closely with our regulated utilities and the publicly-owned utilities in a spirit of cooperation so that if mandatory curtailment becomes a necessity, all concerned pull together to avoid serious impairment of our electric energy resource. In this regard, we are meeting with representatives of the investor-owned utilities to develop schedules and the accompanying technical data necessary to implement a curtailment program. As we approach the critical year-end period, we plan, in cooperation with the utility representatives, to have compiled all the technical and economic impact data necessary to implement curtailment if necessary pursuant to legislative direction. At the same time we will hopefully be able to coordinate our efforts and the overall efforts of the Governor and the state of Washington with our neighboring power pool states in order to assure and preserve the beneficial regional intertie system and to additionally insure that our efforts here are effective in reducing the overall regional load.

"While we may hope that drought conditions subside, and that voluntary efforts by the public to curtail usage and conserve energy are sufficient to avoid mandatory curtailment, we must be prepared for that contingency. Technical experts in all phases of the industry with whom we have been in contact uniformly agree that the current situation contains the distinct possibility of the need for mandatory curtailment authority. We are indeed hopeful that the Legislature will, through temporary legislation, make provision for the implementation of such curtailment, should it become necessary."

The President: "Thank you very much, Mr. Brazier. The President will now recognize Senator Nat Washington, who is President of the Western Conference, Council of State Governments, for remarks, following which members of the panel have agreed to entertain questions for a period of thirty minutes."

Senator Washington: "Mr. President and members of the Legislature: I am just going to speak briefly on the regional aspect of the power problem. Now, it is relatively easy for four state governors to get together and decide that they are going to have a common action. It probably isn't too hard for 15 to 20 Public Service Commission members to get together and decide they are going to have common action. But when you are dealing with four state legislatures, in Oregon, Washington, Idaho and Montana--you are dealing with 512 legislators. So in order to get legislative action, the Council of State Governments felt there should be a regional conference of legislative leaders from these four states and representatives of the Governor's executive offices to try to come up with a legislative solution, because most of these problems could not be answered without legislative action.

"The utilities of the area, in cooperation with the Council of State Governments and with the states, came up with eight recommendations of what the legislation would have to comprise. And at the meeting in Seattle last Wednesday, the four states agreed that those were the criteria that should be adopted by all four states. They

agreed that it had to be a regional problem--that it had to be met on a regional basis.

"The four states did add one additional criterion and that was that there had to be coordination between the states by the agency that would be acting as the curtailer in each state. And I think it is very important on page four of the bill that you will be considering that it does provide the Governor shall undertake all efforts that may be useful in coordinating similar electric power usage curtailments and/or allocation programs with other states. I know that the state of Oregon in particular is working in this direction. They already have legislation, but it doesn't go quite far enough. They will also probably have to call a special session. I can also say that the legislation that you will be presented with by the state of Washington meets all of the criteria, and hopefully, it will be the type of legislation that will act as the guide for all the other four states. Thank you very much."

The President: "Thank you very much, Senator Washington. Do any members of the House or the Senate have questions to be directed to a specific member of the panel?"

Representative Kelley: "Thank you, Mr. Chairman. I have a question of any of the members. Perhaps the gentleman who is the legal counsel or the first gentleman who spoke. The first gentleman who spoke would be sufficient. Mr. Hodel, my question--it has been asked on several occasions or has been indicated on several occasions that if we were to have voluntary cutbacks on the part of the private sector as opposed to the commercial sector, that this might be sufficient in and of itself to curtail the shortage which you gentlemen have spoken of tonight. What exactly is the nature of that? Would it be sufficient, in other words, if each individual householder, etc., were to cut back on his power during a major part of the day? Would that be sufficient to cut off or stem this crisis that you set forth for us?"

Mr. Hodel: "I think the statistics indicate that approximately half of the load in this region is industrial load. About 13 or 14 percent is commercial. The balance is residential. Now the size curtailment we are talking about--that would be roughly 35 to 37 percent--that should total nearly 100. Obviously, if all residential users or a significant percentage of residential users would get completely off the line--which is inconceivable, but if they would--yes, you could achieve the kind of cutbacks we are talking about. We are talking about--if we start now--approximately a 7 1/2 percent average cutback. That is across the board. Everybody cuts back 7 1/2 percent, effectively, starting now, and we continue to have this bad water situation, we will get through all right. If the industrial customers were expected to bear the entire brunt of it--if the industries in this region were to do all the cutting back--they would have to cut back fifteen percent across the board. If we put all of that on the residential consumers, it is something in excess of an average 15 percent curtailment. So if we just take the numbers by

sector we can figure out that if we don't have a changed water situation, increasing amounts are required by decreasing sectors of the economy."

Mr. Kelley: "As part and parcel of that, do you have any statistics to indicate the percentage of excess use on the part of the private sector or the individual sector which might indicate that wise usage would give us a percentage figure that would fit into this scheme that you set forth?"

Mr. Hodel: "I am sorry, I really don't have any figures on what constitutes excess or waste usage. I think what that tends to be is very much an individual decision, when we are talking about the residential consumer. One thing I do understand is that in 1952 when the Defense Electric Power Administration ordered mandatory curtailment, they picked on the larger load--essentially the large commercial and industrial loads in the region as well as mandating curtailments of such things as display lighting and some city street lighting, etc. If you look at the residential consumer, I think you will find that in the Swedish experience there was fairly good indication that a five to seven percent reduction could be achieved with a massive, really a massive, national effort on the conservation program. They also, however, had some rather stringent incentives. The Defense Electric Power Administration was successful in 1952 while they operated--they didn't operate past Thanksgiving because the rains came and the problem was alleviated. But in 1952 their experience was that they achieved 70 percent of the curtailment they got through the mandatory cutback and thirty percent through voluntary cutbacks on the part of the people who were below the levels they had mandated off the line."

The President recognized Representative Morrison.

Representative Morrison: "Thank you, Mr. President. Perhaps this question might be best answered by Mr. Culp, since it relates to what might turn into a legal question, if in fact we do come up with some sort of a curtailment plan. The presentations this evening have been excellent, but they have been in the framework of billions of kilowatts. We represent people who know about 110 volts when you plug the plug in, in your household. A mandatory curtailment plan has to sooner or later spin back to that person who plugs into utilized electrical power. How does this come about? How can we legally say all dishwashers have to be turned off and this sort of thing? Is there any experience in any part of the country, since we notice in the east there has been reduced voltages which is a way of curtailing from the top as opposed to the actual consumer level?"

Mr. Culp: "Yes, first of all on the reduced voltage, I am told that won't work here to any real extent because the lines are too long here. To reduce the voltage, it takes more power to get it across, so you meet yourself coming around the corner. On your main question,

there is no problem of telling people that they can only use the washing machine once every two days or fill it up each time. But enforcing it is quite another question. Your question is a good one, because it leads to the very difficult problem of making this work. As Don mentioned previously, in D.E.P.A. they picked larger-use customers--8,000 kilowatts a week is way more than any household could use, for the simple reason that that made it a manageable administrative problem. In terms of ordering a residential cutback, there is obviously nothing legally to prevent you from ordering that residential loads be cut back a certain amount. The possibilities of being able to police and enforce that are very, very difficult. I am told that in the age of computers it is possible. You could get some kind of a surveillance of it, but the history of it in other places has been that they have been forced not to go just into industry, but if it got to where the cuts had to be real deep, that they had to rely primarily on the larger customers in order to be able to enforce it."

Mr. Morrison: "One additional question, Mr. President. We talked about a present emergency, with the seven percent cut required, and a potential disaster of 30 percent. Now I am presuming if we achieve the 30 percent level that in fact we will have to call on household reductions? Mr. Hodel, perhaps you may want to take that one."

Mr. Hodel: "We are looking right now at the procedures that might be available to curtail--just plain physically curtail loads. We talk about two kinds of mandatory curtailment. The one where we talk about a percentage cutback, and in this case presumably you would be looking (and I am prejudging here what a responsible authority would do) but I think you would look probably at the larger loads and apply a percentage cutback to those and request voluntary assistance from the smaller loads. I am basing that on the experience of 1952. In the event you reach the time when you are physically incapable of meeting the load because you just plain run out of power instead of expecting you may run out of power, then really the utilities have no alternative but to cut off certain feeders. Just plain drop the lines, or turn off--open the circuits. In that case whatever load is on that line is off the line. We find a good number of our customers--we are presently running a survey--a good many of our customers find that they have what they call first-priority loads on every one of the feeders that we would ask them to drop. Whether it is a hospital, old folks home, or dairy (I pity the poor farmer with 200 cows to milk and no electricity these days--or should I say I pity the cows) but in any event every feeder we can identify may well have emergency loads on it or high priority loads. But when you reach the point where you simply don't have the power and you have to curtail, then what you have to do is go out and just plain disconnect. Then you have to go back and try to reconnect as your power supply grows again. In England what they did was rotate the outage. They allocated and they said: 'O.K., this district is off for a 3-hour

period,' then this district and the first district will go back on, etc. That is a rather drastic step but that is what you do when you are a certain percentage flat short of being able to meet your load."

The President called on Representative Thompson.

Representative Thompson: "I have a question for Mr. Culp. Mr. Culp, if I may say so, it appears to be rather ironic that in the administration of this unpleasantness, the federal government is advocating state's rights. I didn't understand from your explanation whether this relegation is based on insurmountable constitutional federal-state relationships or frankly some kind of a cop-out. What I am saying is wouldn't the achievement of regional uniformity and coordination be best achieved by a federal act as it was formerly?"

Mr. Culp: "Well, I don't think it is a cop-out. It was different, depending on what act you are looking at. For instance, D.E.P.A. was the one that managed the cutback in 1952, but D.E.P.A. is founded on the Defense Production Act and its powers are based on war powers, and we don't have a war now, I'm told--this morning anyway. And the O.E.P. has certain other powers that we thought maybe come a little closer to meeting this situation. Well, O.E.P. in its original form was abolished the first of June, and its powers were distributed partially to G.S.A., partially to H.U.D. It is possible that the part that went to G.S.A. could be stretched to meet this situation, but the advice we got from the Governor's conference, people who looked into this extensively, was that it wasn't too likely because it again is disaster relief. The same hang-up that there is on the sort of standing gubernatorial powers. You wait for a disaster and then you can put it back together but it is hard to find the power to prevent one. So those are the main ones. The FTC--we looked into whether they could do it under their powers, but they don't have the right jurisdiction. There are numerous reasons, depending on what we looked at. Now Governor Love's office in the White House is looking at this, and I will be frank to say I don't know what his powers are. But it takes a Presidential declaration of the emergency or disaster or something, and I have not looked specifically as to whether he has the power. But, however, we looked at it--it seemed to those that I was talking to at least that if this could be done on a state level, as an exercise of the local police powers, that you could have a more efficient system and one that would probably better reflect what the local conditions were. For instance, D.E.P.A. was trying to keep war production going. Well, at that time it caused a lot of problems as to whether aluminum companies should be on the line while someone else was cut back, etc. I am not saying that is exactly the situation now, but at least everybody seemed to think that if it could be done on a state level it could be more precise."

The President recognized Representative Gallagher.

Representative Gallagher: "Thank you. I would like

to direct this question to Mr. Culp. Mr. Culp, isn't it true that Puget Power has been advocating for the past two years a voluntary cutback in the use of power in their bulletins and notices that they send out, and at the same time the increase over the last year has been eleven percent by Puget Power?"

Mr. Culp: "I understand that is correct. I am just repeating what I have heard in the course of preparing this. I know they have had a program on for a considerable time, I believe for closer to three years. They have had a substantial program of advertising in newspapers, radio, etc., asking conservation of energy. It is right that their load has been growing, I believe, at a compounded rate of eleven percent per year."

The President recognized Representative Haussler.

Representative Haussler: "Thank you, Governor. I'd like to address this question to Mr. Timme. I know he can answer it, but I think it should be brought out. Now we have this Northwest Pool or Bonneville--we have contracts to furnish power to other areas of the west. Will these contracts have to be honored even under the scarcity of power we have now, and about how much do they amount to?"

Mr. Timme: "I think my first reaction to whether we start abrogating firm contracts is a somewhat qualified 'no' and the reason I say this is, if this was all going in one direction--if there was a net delivery out of the Pacific Northwest to other areas, then the curtailment of customers in the Northwest while continuing to deliver energy outside might be questioned more highly. However, at the present time, and for the immediate future we are about in a net balance--in other words we export energy to California. We import energy from the east--from Wyoming, from Utah, and from British Columbia, and the two just about balance out during the next 20 1/2-month period that we are looking at."

The President recognized Senator Metcalf.

Senator Metcalf: "My question is for Mr. Hodel, but any other member of the panel who has a comment, I would appreciate it. Is there any indication from a study of weather patterns that we might be entering a cycle of drought conditions that might mean a period of three or four more years of substantially subnormal precipitation?"

Mr. Hodel: "I suspect that Mr. Timme will have a comment on this question, too. The only indication I have is that in conversations with our weather forecasters, some experts have been predicting a dry spell--they say that this is the beginning of it. Some say it has come a year later than predicted. Some say it is a year earlier than predicted. Candidly, I would have to say the reason you have to have long-range weather forecasts is it would be terribly embarrassing to say you have made your plans on flipping a coin. Now Mr. Timme may have some more current data as to what our long-range forecasts are looking like."

Mr. Timme: "I don't think I can add anything as far as long-range forecasting, but I would point to our historical period, and that historical period covers 1929 through 1958--a thirty-year period. And the first four years of that historical period, 1929 to 1932, were almost the equivalent to this 2-year, or 20 1/2-month period that we are currently calling our critical period. There was very little difference between the two years and the four years. So in this relatively short period of time, forty years out of millions, there has been longer period of drought."

The President recognized Senator Whetzel.

Senator Whetzel: "I think this question is for Mr. Hodel. I notice in your fact sheet you discuss interruptable power. As I read the fact sheet, there apparently is still some interruptable power provided. Can you tell me whose responsibility it is to cut that, and if it is cut completely, what the consequences would be? What I have in mind is in terms of trying to develop a voluntary program with homeowners. If they are curtailing their power in order to provide interruptable power to industry, will this have some impact on the ability to persuade the public to adopt the voluntary program?"

Mr. Hodel: "To answer the last part first, I am sure it would have and will have. This statement with regard to interruptable industry on page two at the bottom begins with the statement that on October 1, 1972, Bonneville curtailed all of its service of interruptable power to the electro-process loads in the region. But at that time those industries were able to acquire either interruptable replacement energy--they were able to buy some power from Canada, some from California; they purchased part of the output from the Hanford plant. If you will recall there was a great hassle a couple of years ago over whether that plant should continue to operate. It was necessary to find utilities or industries or somebody who would pay part of the cost of reopening and maintaining that plant. In order to raise the money, we found the market for a billion kilowatt hours per year from the industrial customers in the region. That paid for that. So through those various kinds of arrangements they stayed on. Now the contract under which we sell to them--they buy the power but we don't guarantee that we will deliver it at any given time. So, in April we curtailed about 550,000 kilowatts of the power they had already bought. They were paying for it. We were taking it into our system and we stopped delivering it to them. Then in July, on July 20, we curtailed another 260,000 and some kilowatts of that kind of power. So that as of the end of summer, there was still about 260,000 kilowatts of what had been interruptable load on the line. But it was really not interruptable in the sense that the power they were buying was power they had drummed up and were shipping through our system to themselves. It wasn't our power in that sense. So those are not truly interruptable loads. Now the paper also reports that as of September 1, additional loads, part of that load was firmed up, and that was pursuant to long

standing contracts we have had with them. Several years ago in our wisdom we saw that there might be a shortage up to September 1, 1973, and we therefore obtained the right to cut back our industrial customers out of their firm power more than we previously had. That right ran out September 1st so those contracts firmed up to some extent. But at this time there is no interruptable or surplus or secondary energy being sold to these customers. They are buying power from outside the region with which they keep part of what we call their interruptable supply--their interruptable loads on the line. And the consequences, I think, are spelled out here briefly, but not completely. At the bottom of page 2, the industry estimates that employment would decline by another 2,740 workers. That would assume that we further curtail them part of their firm power. The figure 2,740 does not just constitute the employment levels which would be lost by the curtailment of the 220-250 kilowatts they presently have of power from outside the Bonneville system."

The President recognized Representative Ceccarelli.

Representative Ceccarelli: "Thank you, Mr. President. This question is directed at Mr. Hodel and probably Mr. Brazier would like to comment. It has been brought out very evident both here this evening and before the committee that voluntary curtailment has been very ineffective. I believe in Austin, Texas, where they had a day and a half of electricity left, the people seemed to ignore it. In fact, in their program I think they only cut about six percent. There are some schools of thought that feel the only way to get someone to curtail power is to hit them in their pocketbook. I was wondering if you would respond to a fact that hasn't been brought out this evening that maybe a penalty charge for using over so many kilowatt hours in a week, or maybe a tax on it. How this would affect you department, Don--that is the utilities under your offices and whether we can do this or whether we can increase the rate, or what have you."

Mr. Hodel: "This, of course, is one of the problems we are always grappling with today. Bonneville has recently sent out a study of the impact of a rate increase on consumption. I think we are going to be roundly criticized for some of the conclusions in that report, but nonetheless it is our view. Price incentives were utilized in the Swedish shortage, but they were tremendous incentives. You are dealing there with a single national wholesale system and then distributing utilities that all get their power from the national system--considerably easier than the situation we have with multiple ownerships--different kinds of ownerships. In a state where you have regulated and nonregulated utilities, you have a complication resulting from rate differential between the two. I believe in Mr. Brazier's case he could order rates in the case of some utilities and not in others. When I have raised this question myself, I have been told that the inequities which are caused by attempting to impose those kinds of restraints--for instance, what is your base period? If in the intervening



period of time, the family has had a considerable increase in income or members, or, for instance, since last year a new baby has joined the family, it is probable the electric consumption will be far greater because of drying diapers and washing, etc. The adjustments, the difficulty of those kinds of adjustments requiring a person by person assessment of whether this is a fair or unfair multiplication of the cost (and I should say the Swedish costs were something like one cent or one and a quarter cent a kilowatt hour--they went to a twenty-five cents per kilowatt hour--truly a penalty rate in order to get the consumption cutbacks they were seeking). It is very hard, I think, to apply those, but Mr. Brazier may wish to augment that."

Mr. Brazier: "I have been told that there are some large users who are under a penalty situation who might choose to just go ahead and pay the penalty and pass the price along in their products. Now, in this state, we have a rather unique situation in that as Mr. Hodel alluded (or maybe it was Mr. Culp) over 60 percent of our power is provided by publicly-owned energy--either municipals or P.U.D.'s who are managed and run by duly elected public bodies. The other forty percent are investor-owned, regulated by our commission. An equitable system which would apply across the board I don't think could in any way, even if it were developable, be worked out between now and next June 30th which is the period of time we are talking about in the context here this evening."

The President recognized Representative Schumaker.

Representative Schumaker: "Thank you Mr. President: I have a question for Mr. Hodel. Coming from the east side of Washington, one thing that has always been foremost in my mind is when we come down out of the mountains and hit the so-called west coast area, we are just simply blinded by an endless blaze of lights at night. Now I don't know how all this energy compares with what the few electrical plants--pardon me, not electrical plants, but what a few industries would consume. I note the emphasis has been placed on the consumption by industry. The reason this comes to me now is that we are having a tremendous battle in eastern Washington in the attempt to get one little plant established in eastern Washington to give us some employment and jobs and all I hear is don't shut off my deep freeze, don't shut off my porch light, and all these things. So I would like a few comments and information to give me some idea as to how this actually compares. We step down here out of the mountains and see this endless blaze of lights which I am sure goes completely down the coastline from Alaska to, I presume, the Panama Canal. Now I don't believe that we need all these lights burning at night. The industry isn't always running at night and there are neon signs and every type of sign in the world going almost night and day. We come down to Olympia and we see the capitol lights. We go to the highway building and every room in the highway building has been lit 24 hours a day. There are endless places where I think energy could be saved. And surely with millions of places like this,

some of the savings should add up to enough to keep a few more industries going and the fellow who is worrying about keeping his deep freeze turned on if we keep shutting down industry, eventually won't have to worry about keeping his deep freeze on because there won't be a doggoned thing in it. Could you give me a little comparison?"

Mr. Hodel: "First, I should say that I have been accused of making somewhat the same remarks myself with regard to the priority question. Really what you are raising is the priority question. The question I have asked: Does it make any sense for us to keep the lights on in a fellow's house if he doesn't have a job with which to pay the electricity bill? The problem is that the readily identifiable loads that you are talking about, which I think many people might agree are unnecessary loads, probably don't in total add up to enough savings to take care of the shortage we are faced with today, but if we wait three months it most assuredly won't add up. I think street lighting in the region amounts on one-half of one percent. I think in the state of Oregon half of the freeway lights have been turned off. I notice as a response to the Governor's call in the Portland area, the major buildings which traditionally have had their lights on all night while the air conditioning runs in the summer have those lights off now. I notice the federal buildings are required now to do their cleaning during the daylight hours so they don't have to have crews in them at night. These are ways in which the kinds of lights you have identified are being turned down or turned off. Municipal street lighting ordinances are things which have to be dealt with at the municipal level so far. I guess the answer I would give is that I think you have identified the highly visible loads. If those highly visible loads stay on, I don't think we can expect a very strenuous public voluntary conservation program. Those loads should go off if we are going to get a good public response, which I still believe is possible. Good public response would go a long way toward avoiding the mandatory curtailment that would probably affect the larger loads--the industrial type load."

The President recognized Representative Douthwaite.

Representative Douthwaite: "Thank you, Mr. President. I think I know the answer to this, Mr. Hodel, but I would appreciate your confirmation. You say that we buy power from Wyoming, Utah, British Columbia and I think Nevada, and we sell it to California at present. My question is, have we made every effort to increase the amount of available power from these four states and have we made every effort to talk to California so we can stop shipping power to them during the same shortage? Have we really made an effort here, or were you really simply stating the facts?"

Mr. Hodel: "I believe we have made a very real effort. Three weeks ago we obtained permission from the Secretary of the Interior to purchase power at Bonneville--to purchase power at any place at any time at

any price, and we put out an order to purchase power from all of these steam plants that exist in the Pacific Northwest. Now we found that out of 372,000 kilowatts of capacity--now I am talking about the Northwest first--out of 372,000 kilowatts of capacity, about 40,000 was on, and all we could buy was 12,000 additional. All the rest couldn't be operated because it was down for long-term maintenance. It didn't have an adequate fuel supply. The fuel they had had to be saved for the winter period because the plant could only operate for a few hours during the peak shortage or, say the coldest day of the year. Or they couldn't meet the air quality standards, or they couldn't meet the water quality standards, so what sounded like a dramatic announcement that we were prepared to buy power at any price at any time at any place didn't turn out to produce a heck of a lot. Since then we have managed to buy some additional amounts as the plants have been reworked and we helped find some fuel, etc. But in the case of California, Mr. Timme indicated what the situation was there. We are selling under the Canadian treaty arrangement. There is power being sent to California, which was purchased by California actually from the Canadians. Now that power we really don't have any hold over at this time. It is power which can be called back in the Northwest and in 1970 the utilities in this region did call it back on a five-year call back basis so that in 1975 that power will no longer be shipped to California. At the present time it is bound under contract. Out of the Centralia plant, 426,000 kilowatts were sold to the Central Valley Project which is a Bureau of Reclamation project in California. That was at that time deemed to be surplus to the region, and at the present time I can say we are exploring with the Department of Interior since we, Bonneville, are part of the Department of Interior, if we can do something with the Central Valley Project which will permit us to curtail that delivery to our sister agencies--keep it in the Northwest, make a payment in dollars instead of electricity for what we need down there. The problem may well be, however, that that power is presently being delivered to the Pacific Gas and Electric Company, which serves the San Francisco area and the Pacific Gas and Electric Company is in very difficult circumstances itself. If we, by cutting that off, create a power shortage in San Francisco we have not solved our problem here either. Now with regard to the Canadian supply, we are buying whatever we can from Canada. They have limited amounts available. As far as from Montana and Wyoming is concerned, we have attempted to buy whatever is available. The problem there tends to be fuel supply as well as a certain amount of perhaps understandable provincialism which says why should we run our plants to serve loads in the Pacific Northwest when they've got plants they won't let operate to full capacity because of air quality standards. That is an argument that will go on in this country for some time. So I would say we really have made a strenuous effort and are continuing to make a strenuous effort to find power any way we can. One thing we have asked the department to explore is: 'Can oil be made available in California to operate if there is capacity there to produce some power for the Northwest.'

Whether we can meet their air quality standards is another problem we haven't surmounted yet."

#### MOTION

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

The President: "Mr. Charette, members of the Legislature, the President thanks the members of the panel for being with us this evening and giving us the benefit of their knowledge and experience. Mr. Charette, the members of the Senate at this time express their appreciation to you and the members of the Legislature and your staff for your always friendly hospitality and cordial reception."

The President of the Senate returned the gavel to the Speaker (Mr. Charette presiding).

The Speaker (Mr. Charette presiding) directed the Sergeants at Arms of the Senate and the House to escort the President, President Pro Tempore and Vice President Pro Tempore, and the members of the Senate to the Senate Chamber.

The House resumed its session.

#### MOTION

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

#### REPORTS OF STANDING COMMITTEES

September 7, 1973

ENGROSSED HOUSE BILL NO. 14, Prime sponsor: Representative Bluechel, implementing the laws relating to acupuncture, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Fortson, Freeman, Hendricks, Jastad, Johnson, Kelley, Matthews, Paris, Savage, Wojahn, Zimmerman.

MINORITY recommendation: That the substitute bill do not pass.

Signed by Representative Eng.

To Committee on Rules.

September 9, 1973

ENGROSSED HOUSE BILL NO. 385, Prime sponsor: Representative Van Dyk, relating to practice of veterinary medicine, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 4, line 19 after "{2}" and before the semicolon strike "An owner of livestock treating his own animals" and insert "~~(An owner of livestock treating his own animals)~~ Persons practicing veterinary medicine upon a person's own animals"

On page 4, section 4, line 4 after "board" strike the period, insert a semicolon and add new subsections as follows:

"(7) An owner being assisted in such practice by his employees when employed in the conduct of such person's business;

(8) An owner being assisted in such practice by some other person gratuitously."

On page 4, after section 4, add a new section as follows:

"Sec. 5. Section 6, chapter 71, Laws of 1941 as amended by section 28, chapter 292, Laws of 1971 ex. sess. and RCW 18.92.070 are each amended to read as follows:

No person, unless registered or licensed to practice veterinary medicine, surgery and dentistry in this state at the time this chapter shall become operative, shall begin the practice of veterinary medicine, surgery and dentistry without first applying for and obtaining a license for such purpose from the director. In order to procure a license to practice veterinary medicine, surgery and dentistry in the state of Washington, the applicant for such license shall file his application at least (~~fifteen~~) thirty days prior to date of examination upon a form furnished by the director of motor vehicles, which, in addition to the fee provided by this chapter, shall be accompanied by satisfactory evidence that he is at least eighteen years of age and of good moral character, and by a diploma from some legally chartered veterinary college or veterinary department of any university or agricultural college, recognized by the American Veterinary Medical Association, evidencing the fact that the applicant has been in actual attendance at the lectures, instruction and examinations for a period of at least four academic years of thirty-two to thirty-six weeks each. Said application shall be signed by the applicant and sworn to by him before some person authorized to administer oaths. When such application and the accompanying evidence are found satisfactory, the director shall notify the applicant to appear before the board for the next examination: PROVIDED, HOWEVER, That the director of motor vehicles must deny the application of every applicant who has been guilty of unprofessional conduct within the two years immediately preceding date of application for license."

Renumber the remaining sections consecutively

On line 10 of the title after "RCW 18.92.060;" and before "amending" insert "amending section 6, chapter 71, Laws of 1941 as amended by section 28, chapter 292, Laws of

1971 ex. sess. and RCW 18.92.070;"

Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Hansey, Haussler, Laughlin, Schumaker, Tilly, Van Dyk.

To Committee on Rules for second reading.

September 9, 1973

ENGROSSED HOUSE BILL NO. 530, Prime sponsor: Representative Van Dyk, relating to commission merchants, reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Benitz, Hansey, Haussler, Laughlin, Schumaker, Tilly, Van Dyk.

To Committee on Rules for second reading.

September 9, 1973

HOUSE BILL NO. 1077, Prime sponsor: Representative Wojahn, requiring contractual provisions to provide hospitalization for alcoholism, reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Curtis, Gallagher, Gilleland, Jueling, Kuehnle, Leckenby, Wilson.

To Committee on Rules for second reading.

September 9, 1973

HOUSE BILL NO. 1121, Prime sponsor: Representative Bagnariol, making certain changes in the teachers' retirement system, reported by the Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Bagnariol, Chairman; Randall, Vice Chairman; Blair, Brown, Charette, Chatalas, Curtis, Ehlers, Erickson, Gaspard, Goltz, Hansey, Hoggins, Hurley, Kilbury, King, Luders, Moon, Morrison, North (L.), Sawyer, Thompson, Valle, Van Dyk, Warnke, Williams.

To Committee on Rules for second reading.

September 10, 1973

HOUSE BILL NO. 1125, Prime sponsor: Representative Perry, creating an electrical emergency curtailment committee, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; Amen, Berentson, Ceccarelli, Gaines, Gallagher, Gilleland, Kalich, Kraabel, Laughlin, Leckenby, Patterson, Pullen, Schumaker.

To Committee on Rules for second reading.

September 9, 1973

ENGROSSED SENATE BILL NO. 2229, Prime sponsor: Senator Bottiger, limiting the application of the administrative procedure act in certain proceedings, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Fortson, Freeman, Hendricks, Jastad, Kelley, Matthews, May, Rabel, Savage, Wojahn, Zimmerman.

To Committee on Rules for second reading.

September 9, 1973

SENATE BILL NO. 2915, Prime sponsor: Senator Fleming, school districts, first class, student population, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender, Brown, Clemente, Ehlers, Fortson, Hayner, Hendricks, Hoggins, Johnson, Polk, Smythe, Tilly, Warnke.

To Committee on Rules for second reading.

September 10, 1973

SENATE BILL NO. 2942, Prime sponsor: Senator Jones, creating the laws defining controlled substances, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, after section 1 add a new section as follows:

"Sec. 2. Section 46.56.040, chapter 12, Laws of 1961 as last amended by section 5, chapter 49, Laws of 1970 1st ex. sess. and RCW 46.61.520 are each amended to read as follows:

(1) When the death of any person shall ensue within

three years as a proximate result of injury received by the driving of any vehicle by any person while under the influence of or affected by intoxicating liquor or narcotic drugs as defined in chapter ((69.33 RCW or dangerous drugs as defined in chapter 69.40 RCW)) 69.50 RCW, Uniform Controlled Substances Act, or by the operation of any vehicle in a reckless manner or with disregard for the safety of others, the person so operating such vehicle shall be guilty of negligent homicide by means of a motor vehicle.

(2) Any person convicted of negligent homicide by means of a motor vehicle shall be punished by imprisonment in the state penitentiary for not more than ten years, or by imprisonment in the county jail for not more than one year, or by fine of not more than one thousand dollars, or by both fine and imprisonment."

Remember the remaining section consecutively

In line 2 of the title, after "69.50.101" insert "; amending section 46.56.040, chapter 12, Laws of 1961 as last amended by section 5, chapter 49, Laws of 1970 1st ex. sess. and RCW 46.61.520;"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Eng, Fortson, Freeman, Hendricks, Jastad, Johnson, Matthews, May, Paris, Rabel, Savage, Wojahn, Zimmerman.

To Committee on Rules for second reading.

September 9, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2956, Prime sponsor: Senator Mardesich, authorizing expenditures by state agencies and offices, reported by Committee on Ways and Means.

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. That the following appropriations are hereby adopted and subject to the provisions set forth 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 by the designated agencies and offices of the state and for other specified purposes, including operations and capital improvements, 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 NATURAL RESOURCES

General Fund--Resource Management Cost Account

Appropriation.....\$ 2,250,000

NEW SECTION. Sec. 3. FOR THE DEPARTMENT OF PERSONNEL

General Fund Appropriation: To implement the provisions of chapter ..., Laws



of 1973 2nd ex. sess. (SB 2603).....\$ 1,411,000

NEW SECTION. Sec. 4. FOR THE TEACHERS'

RETIREMENT SYSTEM

General Fund Appropriation: To implement the provisions of chapter ..., Laws of 1973 2nd ex. sess. (HB 1121).....\$ 985,000

NEW SECTION. Sec. 5. FOR THE DEPARTMENT

OF ECOLOGY

General Fund Appropriation: For implementation of the Environmental Coordination Procedures Act of 1973, chapter 185, Laws of 1973 1st ex. sess.....\$ 500,000

General Fund Appropriation: For planning, establishment, and completion of biological baseline studies of state waters in which the greatest risk of damage from oil spills exists for the biennium ending June 30, 1975.....\$ 500,000

NEW SECTION. Sec. 6. FOR THE DEPARTMENT

OF SOCIAL AND HEALTH SERVICES

General Fund Appropriation: Additional funds required for implementation of new distribution formula for state alcoholism programs during the biennium ending June 30, 1975, in accordance with departmental agreement as of August 14, 1973.....\$ 350,000

NEW SECTION. Sec. 7. FOR THE WASHINGTON

STATE HIGHWAY COMMISSION

Motor Vehicle Fund Appropriation: To continue the agreement, in accordance with chapter ..., Laws of 1973 2nd ex. sess. (SB ...), between Wahkiakum County and the Highway Commission for the operation and maintenance of the Puget Island Ferry for the biennium ending June 30, 1975....\$ 40,000

NEW SECTION. Sec. 8. Notwithstanding any other

provision of law or rule and/or regulation, the superintendent of public instruction is authorized to use one-quarter of one percent, but not to exceed \$300,000, of the amount appropriated for apportionment purposes in section 2, chapter 134, Laws of 1973 1st ex. sess., for the purpose of obtaining federal matching funds for special research projects related to handicapped children, special education, school dropouts or related pilot projects or programs approved by the federal government for matching purposes.

NEW SECTION. Sec. 9. Notwithstanding any other

provision of law or rule and/or regulation, the superintendent of public instruction is authorized to expend an amount not to exceed \$47,000 for expenses incurred in the training of school bus drivers from the amount appropriated for school district transportation reimbursement in section 2, chapter 134, Laws of 1973 1st ex. sess.

NEW SECTION. Sec. 10. Notwithstanding any other

provision of law or rule and/or regulation of the superintendent of public instruction and the state board of education in order to implement the provisions of chapter 66, Laws of 1971 ex. sess., the superintendent of public

instruction is hereby authorized to expend from the common school construction fund appropriation contained in section 19, chapter 114, Laws of 1973 1st ex. sess., an amount not to exceed \$1,500,000 for the purpose of renovation and construction of capital facilities designed to serve handicapped children as provided for in chapter 66, Laws of 1971 ex. sess.

NEW SECTION. Sec. 11. Notwithstanding the provisions of sections 2 and 3 of chapter 134, Laws of 1973 1st ex. sess., the Superintendent of Public Instruction may expend unanticipated federal receipts without placing an equal amount of state dollars into reserve status if the expenditure of such dollars is authorized by the state legislature, if in session, or by the Legislative Budget Committee during the interim between legislative sessions: PROVIDED, That this section shall apply only to federal funds which by federal restrictions are not available to replace state funds.

Sec. 12. Section 31, chapter 137, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund Appropriation: PROVIDED, That \$865,071 shall be made available solely for the support of the Fire Safety and Regulation Program.....\$((3,920,764)) 3,453,761

Sec. 13. Section 2, chapter 139, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

General Fund Appropriation: PROVIDED, That ((\$594,866,929)) \$582,741,446 is from state funds and \$6,541,168 is from private and local funds and ((\$447,743,498)) \$424,838,681 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 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 \$32,876,903 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 disbursements 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 if the Federal Government fails to provide Social Service funds at the anticipated level, then the Department of Social and Health Services is authorized to expend state funds to maintain affected programs at the level appropriated by this 1973 amendatory act through February, 1974: PROVIDED FURTHER, That this appropriation shall be expended for the following

- purposes.....\$((1,019,127,295)) 1,014,121,295

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...\$ 29,994,492

Mental Health Program: PROVIDED, That if the Federal Government fails to provide Social Service funds at the anticipated level, then the Department of Social and Health Services is authorized to expend up to \$231,000 in state funds to maintain the Drug Program at the level appropriated by this 1973 amendatory act through February, 1974: PROVIDED FURTHER, That if the Federal Government fails to provide Social Service funds at the anticipated level, then the Department of Social and Health Services is authorized to expend up to \$93,780 in state funds to maintain the Alcohol Program at the level appropriated by this 1973 amendatory act through February, 1974.....\$ 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: PROVIDED, That if the Federal

Government fails to provide Social Service funds at the anticipated level, then the Department of Social and Health Services is authorized to expend up to \$328,000 in state funds to maintain the Epton Centers at the level appropriated by this 1973 amendatory act through February, 1974.....\$ 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)), chapter 139, Laws of 1973 1st ex. sess. 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)), chapter 139, Laws of 1973 1st ex. sess., 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; PROVIDED, That \$700,000 in state funds of this appropriation, or so much thereof as shall be necessary shall be used to provide a food bonus to those adult recipients under Title XVI of the Social Security Act who do not qualify under PL 93-86 for the food stamp and commodity program.....\$ ((350,462,055)) 345,162,055

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 manyears 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; AND PROVIDED FURTHER, That if the Federal Government fails to provide Social Service funds at the anticipated level, then the Department of Social and Health Services is authorized to expend up to \$66,375 in state funds to maintain the Day Care Staff for former and potential AFDC Recipients at the level appropriated by this 1973 amendatory act through February, 1974.....\$ 102,176,039

((State)) General Fund Appropriation:

For day care services for former and potential AFDC recipients: PROVIDED, That if the Federal Government fails to provide Social Service funds at the anticipated level, then the Department of Social and Health Services is authorized to expend up to \$387,531 in state funds to maintain the Day Care services for former and potential AFDC recipients at the level appropriated by this amendatory act through February, 1974.\$ 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.....\$ 26,945,251

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

Sec. 14. Section 2, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation: PROVIDED, That up to \$744,217 shall be expended for any new 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; AND PROVIDED FURTHER, That in order to prepare for a potential enrollment level below that budgeted for in the 1973-75 biennium the board of regents shall adopt retrenchment procedures which assure that only six months advance notice shall be required for nonrenewal of faculty contracts for the 1974-75 contractual year and the board of regents shall submit the adopted regulations to the Ways and Means Committee of each house of the legislature prior to December 31, 1973.....\$ 141,005,919

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ((~~77~~ {SSB 2054})) 137, 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

Sec. 15. Section 3, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

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 it 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 \$190,000 of this appropriation be used for research in alternative methods to grass burning)) AND PROVIDED FURTHER, That in order to prepare for a potential enrollment level below that budgeted for in the 1973-75 biennium the board of regents shall adopt

retrenchment procedures which assure that only six months advance notice shall be required for nonrenewal of faculty contracts for the 1974-75 contractual year and the board of regents shall submit the adopted regulations to the Ways and Means Committee of each house of the legislature prior to December 31, 1973.....\$ ((72,648,420)) 72,518,120

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: To accelerate and expand current research into alternative methods of burning grasses grown for commercial seed production pursuant to implementation of the Federal Clean Air Act.....\$ 100,000

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ((???) (SSB 2854)) 137, Laws of 1973 1st ex. sess. for faculty and exempt personnel.....\$ 3,368,612

Sec. 16. Section 4, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:  
FOR THE EASTERN WASHINGTON STATE COLLEGE.

General Fund Appropriation: PROVIDED, 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: PROVIDED FURTHER, That in order to prepare for a potential enrollment level below that budgeted for in the 1973-75 biennium the board of trustees shall adopt retrenchment procedures which assure that only six months advance notice shall be required for nonrenewal of faculty contracts for the 1974-75 contractual year and the board of trustees shall submit the adopted regulations to the Ways and Means Committee of each house of the legislature prior to December 31, 1973.....\$ ((29,983,044)) 20,858,676

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ((???) (SSB 2854)) 137, Laws of 1973 1st ex. sess. for faculty and exempt personnel...\$ 684,383

Sec. 17. Section 5, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE CENTRAL WASHINGTON STATE COLLEGE

General Fund Appropriation: PROVIDED, 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; PROVIDED FURTHER, That in order to prepare for a potential enrollment level below that budgeted for in the 1973-75 biennium the board of trustees shall adopt retrenchment procedures which assure that only six months advance notice shall be required for nonrenewal of faculty contracts for the 1974-75 contractual year and the board of trustees shall submit the adopted regulations to the Ways and Means Committee of each house of the legislature prior to

December 31, 1973.....\$ ((22,740,240)) 20,925,139

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ((~~1977~~ {SSB 2054})) 137, Laws of 1973 1st ex. sess. for faculty and exempt personnel.....\$ 850,876

Sec. 18. Section 6, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation: PROVIDED, 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; AND PROVIDED FURTHER, That in order to prepare for a potential enrollment level below that budgeted for in the 1973-75 biennium the board of trustees shall adopt retrenchment procedures which assure that only six months advance notice shall be required for nonrenewal of faculty contracts for the 1974-75 contractual year and the board of trustees shall submit the adopted regulations to the Ways and Means Committee of each house of the legislature prior to December 31, 1973.....\$

10,584,693

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ((~~1977~~ {SSB 2054})) 137, Laws of 1973 1st ex. sess. for faculty and exempt personnel.....\$ 245,372

Sec. 19. Section 7, chapter 131, Laws of 1973 1st

ex. sess. (uncodified) is amended to read as follows:

FOR THE WESTERN WASHINGTON STATE COLLEGE

General Fund Appropriation: PROVIDED, That in order to prepare for a potential enrollment level below that budgeted for in the 1973-75 biennium the board of trustees shall adopt retrenchment procedures which assure that only six months advance notice shall be required for nonrenewal of faculty contracts for the 1974-75 contractual year and the board of trustees shall submit the adopted regulations to the Ways and Means Committee of each house of the legislature prior to December 31, 1973.....\$ ((25,530,776)) 23,924,489

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ((--- (SSB 2854))) 137, Laws of 1973 1st ex. sess. for faculty and exempt personnel.....\$ 1,032,000

Sec. 20. Section 8, chapter 131, Laws of 1973 1st

ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

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: PROVIDED, 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:

PROVIDED, That none of these moneys shall be expended for the training of personnel: PROVIDED, That \$900,000

of this appropriation shall be administered by the State Board and used exclusively for disadvantaged programs: PROVIDED, That

Olympia Vocational-Technical Institute shall not become a comprehensive community college and shall offer only those courses essential to

vocational-technical education: PROVIDED, 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: PROVIDED

FURTHER, That up to ((\$1,430,430)) \$300,000 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 and who qualifies as a "needy student" pursuant to RCW 28B.15.520-28B.15.525.....\$((435,400,246)) 134,270,086

General Fund Appropriation: PROVIDED, 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 ((~~137~~ (SSB 2854))) 137, 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

Sec. 21. Section 76, chapter 137, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COUNCIL ON HIGHER EDUCATION  
General Fund Appropriation: PROVIDED, That ((~~\$1,800,000~~ of this appropriation shall be used as authorized by REW 28B.40-830 through 28B.40-836 to aid Washington residents attending private institutions of higher education on a full-time basis:

PROVIDED FURTHER, That) \$2,800,000 shall be used for the purposes of the state student financial aid program authorized by RCW 28B.10.800 through 28B.10.824: PROVIDED FURTHER, That an amount not to exceed six percent of all such funds appropriated pursuant to the provisions of ((REW 28B.10.830 through 28B.10.836 and)) RCW 28B.10.800 through 28B.10.824 may be used for administrative costs of the Council on Higher Education until June 30, 1975.....\$ ((5,499,967)) 3,699,967

General Fund Appropriation: PROVIDED,

That this appropriation shall be used

for administrative purposes.....\$ 108,000

Sec. 22. Section 2, chapter 134, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

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 any 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), an 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

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: 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

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: PROVIDED, 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: PROVIDED, 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: PROVIDED, 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

General Fund Appropriation: PROVIDED, That this appropriation shall be used for administrative expenditures associated with the office of nonpublic schools and to conduct studies relating to the staffing, curriculum, and financial status of nonpublic common schools within the state of Washington.....\$ 150,000

Sec. 23. Section 16, chapter 114, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:  
 FOR WESTERN WASHINGTON STATE COLLEGE

	Reappro-	From the	From the
	priations	Fund Designated	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. 24. The appropriations contained within this 1973 act shall be administered, where applicable, pursuant to those rules, regulations, and administrative procedures established by chapters 114, 131, 134, 137, 215, and 222, Laws of 1973 1st ex. sess., and chapter 43.88 RCW.

NEW SECTION. Sec. 25. 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. 26. 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 page 1, strike all of the title and insert the following:

"AN ACT Relating to expenditures by state agencies and offices of the state; making appropriations for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; making other appropriations; designating effective dates for certain appropriations; amending section 16, chapter 114, Laws of 1973 1st ex. sess. (uncodified); amending section 2, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 3, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 4, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 5, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 6, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 7, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 8, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 2, chapter 134, Laws of 1973 1st ex. sess. (uncodified); amending section 31, chapter 137, Laws of 1973 1st ex. sess. (uncodified); amending section 76, chapter 137, Laws of 1973 1st ex. sess. (uncodified); amending section 2, chapter 139, Laws of 1973 1st ex. sess. (uncodified); and declaring an emergency."

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Barden, Bausch, Blair, Charette, Chatalas, Ehlers, Erickson, Flanagan, Gaspard, Hoggins, Hurley, Kilbury, Luders, North (Frances), Sawyer, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke.

To Committee on Rules for second reading.

#### MOTIONS

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

On motion of Mr. Thompson, the House adjourned until 10:00 a.m., Tuesday, September 11, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, September 11, 1973.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Deacon Jack Walmsley of St. Michael's Catholic Church of Olympia.

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

## MESSAGES FROM THE SENATE

September 10, 1973

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2377,  
 ENGROSSED SENATE BILL NO. 2551,  
 SENATE BILL NO. 2642,  
 ENGROSSED SENATE BILL NO. 2657,  
 REENGROSSED SENATE BILL NO. 2659,  
 SENATE BILL NO. 2944,  
 SENATE BILL NO. 2945,  
 SENATE BILL NO. 2954,  
 ENGROSSED SENATE BILL NO. 2960,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

September 10, 1973

Mr. Speaker:

The Senate has passed:

REENGROSSED HOUSE BILL NO. 706,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1127, by Representatives Parker and Beck:

AN ACT Relating to motor vehicle safety equipment; adding a new section to chapter 12, Laws of 1961 and to chapter 46.37 RCW; defining crimes; and providing penalties.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1128, by Representatives Luders, Bagnariol, Brown, Clemente, Bauer, Hoggins, Smythe and Warnke (by Superintendent of Public Instruction request):

AN ACT Relating to education; amending section 2, chapter 46, Laws of 1973 as amended by section 137, chapter 195, Laws of 1973 1st ex. sess. and RCW 28A.41.130; amending section 4, chapter 217, Laws of 1969 ex. sess. as amended by section 1, chapter 14, Laws of 1972 ex. sess. and RCW 28A.41.145; amending section 28A.44.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.040; amending section 2, chapter 244, Laws of 1969 ex. sess. as amended by section 5, chapter 42, Laws of 1970 ex. sess. and RCW 28A.47.801; amending section 3, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.802; amending section 4, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.803; amending section 6, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.805; amending section 8, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.807; amending section 9, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.808; amending section 10, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.809; amending section 11, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.810; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; repealing section 2, chapter 46, Laws of 1973 as last amended by section ..., chapter ..., Laws of 1973 2nd ex. sess. and RCW 28A.41.130; repealing section 2, chapter 46, Laws of 1973 as last amended by sections 9, 136, 138 and 139, chapter 195, Laws of 1973 1st ex. sess., all codified as RCW 28A.41.130; repealing section 14, chapter 244, Laws of 1969 ex. sess. and RCW 28A.41.140; making an effective date; and providing for the expiration of this act.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1129, by Representatives Barden, Warnke and Cunningham:

AN ACT Relating to property adversely impacted by airport noise; adding a new chapter to Title 53 RCW; making an appropriation; and declaring an emergency.

To Committee on Local Government.

HOUSE BILL NO. 1130, by Representative Kelley:

AN ACT Relating to controlled substances.

To Committee on Rules.

HOUSE JOINT MEMORIAL NO. 25, by Representatives Anderson, Ehlers and Beck:

Requesting Congressional action on veterans' educational benefits.

To Committee on Higher Education.

SUBSTITUTE SENATE BILL NO. 2377, by Committee on Constitution and Elections (Originally sponsored by Senators Grant and Stortini):

AN ACT Relating to United States congressional elections; amending section 29.13.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 4, Laws of 1973 and RCW 29.13.010; 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.

To Committee on Constitution and Elections.

ENGROSSED 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.

To Committee on Transportation and Utilities.

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.

To Committee on Transportation and Utilities.

ENGROSSED 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; and declaring an emergency.

To Committee on Transportation and Utilities.



REENGROSSED 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.

MOTION

On motion of Mr. Charette, Reengrossed Senate Bill No. 2659 was placed on today's second reading calendar.

SENATE BILL NO. 2944, by Committee on Transportation and Utilities (Endorsed by Senators Peterson [Lowell], Stortini, Jolly, Lewis [Bob], Walgren, Mattingly, Sellar, Wanamaker, Knoblauch, Whetzel, Guess, Bottiger and Washington):

AN ACT Relating to motor vehicles; and amending section 2, chapter 144, Laws of 1967 and RCW 46.64.070.

MOTION

On motion of Mr. Charette, Senate Bill No. 2944 was placed on today's second reading calendar.

SENATE BILL NO. 2945, by Judiciary Committee (Endorsed by Senators Atwood, Bottiger, Van Hollebeke, Dore, Francis, Woody, Clarke and Greive):

AN ACT Relating to the dissolution of marriage, legal separation, or a declaration concerning the validity of a marriage; amending section 2, chapter 157, Laws of 1973 ex. sess. and RCW .....; and declaring an emergency.

MOTION

On motion of Mr. Charette, Senate Bill No. 2945 was placed on today's second reading calendar.

SENATE BILL NO. 2954, by Senators Odegaard and Talley:

AN ACT Relating to the Puget Island ferry; amending section 1, chapter 254, Laws of 1971 ex. sess. and RCW 47.56.720; prescribing an effective date; and declaring an emergency.

To Committee on Transportation and Utilities.

ENGROSSED SENATE BILL NO. 2960, by Senator Durkan:

AN ACT Relating to funds for the use of the common schools; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; making an effective date; and providing for the expiration of this act.

To Committee on Ways and Means - Appropriations.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2956, by Committee on Ways and Means (Originally sponsored by Senators Mardesich, Atwood and Durkan - by Executive request):

Authorizing expenditures by state agencies and offices.

## MOTION

Mr. Charette moved that Engrossed Substitute Senate Bill No. 2956 be made a special order of business for 2:00 p.m. today.

## POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Charette, this bill is the budget bill as most of the members know. We have it on our desks and several of us have been looking at it this morning. We want to go along with the special order of business. I would hope that if some members need an extra 15 minutes, 20 minutes or a half hour for amendments to this, that you would be flexible enough later on this afternoon to allow them that time."

Mr. Charette: "Mr. Pardini, we are always flexible. However, I would like to announce that it is our intention to knock-off here at approximately 11:00 for the purpose of allowing everyone to get a look at the budget, to hold caucuses and to prepare those amendments. Now I would hope that they would be done before that time, but I believe you know we are flexible, amenable, and very jolly."

Mr. Pardini: "I just wanted to see how you felt this morning, Bob."

The motion by Mr. Charette was carried.

SECOND SUBSTITUTE HOUSE BILL NO. 487, by Committee on Commerce (Originally sponsored by Representatives Johnson, Kalich and Ellis):

Changing the definitions relating to lotteries.

## MOTION

On motion of Mr. Charette, Second Substitute House Bill No. 487 was placed on today's second reading calendar immediately following House Bill No. 1121.

HOUSE BILL NO. 1121, by Representatives Bagnariol, Morrison, Thompson, Fortson, Beck, Ceccarelli and Douthwaite (by Washington State Teachers' Retirement System request):

Making certain changes in the teachers' retirement system.

MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 1121, and the bill was placed on today's second reading calendar following Senate Bill No. 2942.

SECOND SUBSTITUTE HOUSE BILL NO. 487, by Committee on Commerce (Originally sponsored by Representatives Johnson, Kalich and Ellis):

Changing the definitions relating to lotteries.

The bill was read the second time.

Mr. Charette moved adoption of the following amendment:

On page 2, section 1, line 28 after "chapter" and before the period insert the following: "OR any corporation which has been incorporated under any act of the Congress of the United States of America and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same"

Representatives Charette and Kuehnle spoke in favor of adoption of the amendment.

The amendment by Mr. Charette was adopted.

Mrs. Wojahn moved adoption of the following amendment:

On page 6, following line 17 add a new subsection to read as follows:

"(h) 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, provided that a facsimile of either is acceptable in lieu thereof."

Representatives Wojahn and Kuehnle spoke in favor of the amendment.

## POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Curtis.

Mr. Curtis: "Representative Wojahn, I am sorry I have not had the opportunity to see your amendment prior to this morning. I wonder if--I understand what you are attempting to do, in that proof of purchase is--well, that you require in essence a container or facsimile thereof. But I wonder if in offering that amendment you gave any consideration to the problem confronted by the retailer who is denied access to a particular label or brand. I am thinking primarily of a private label, which we refer to as a private label. If I could illustrate it better for you--let's say that a manufacturer promotes a contest on his brand, his label. That label is available only in XYZ stores and not at any other stores. Is that then being fair to the other markets who are denied access and who cannot buy it because it is restricted only to a particular type of store? I am wondering how you get around that problem."

Mrs. Wojahn: "I would suggest that competition would get around the problem, Representative Curtis. It seems to me that if one store offered this, it wouldn't be long before other stores would be offering similar type proposals. I think that our retailers are sophisticated enough to answer that problem themselves, and I can't see that it would be any problem."

Mr. Curtis: "Well, I might submit then that it is a problem. I think you misunderstand the situation. It is simply this--various retailers cannot have access to certain label items. They are what we call private label, and only a particular type of supermarket can obtain that. Now if the contest is run on that label, then XYZ supermarket which is across the street from ABC supermarket has the competitive advantage over that one because ABC supermarket can't get it at all. And as such, I think the requirement that they offer proof of purchase in terms of the container or facsimile is unfair and covered elsewhere by simply a visit to the store, etc., without a purchase being required, is the thing that we should stay with, and as such, I oppose this amendment."

Mrs. Wojahn spoke again in favor of the amendment.

## POINT OF INQUIRY

Mr. Curtis yielded to question by Mr. Chatalas.

Mr. Chatalas: "Mr. Curtis, on this subject I don't see much difference between what you are talking about and having, let's say, two newspapers. One has a football guessers' contest, and the other one doesn't. But as long as the other one doesn't want to do that, then there's no other way except to buy that particular paper. The other one has the prerogative. They can have it or not. As far as these labels are concerned--the only reason they can't get them is because they chose to do business with certain

manufacturers which nobody else has."

Mr. Curtis: "I am waiting for your question."

Mr. Chatalas: "I am asking you what is the difference?"

Mr. Curtis: "The difference is not so much from the standpoint of the consumer, but the business being placed in an unfair advantage. Mrs. Wojahn is correct when she says she doesn't understand the problem. It is a problem here. My concern is that the majority of the gigantic chain organizations who control their own private label, and can promote year in and year out, day in and day out, will offer such a competitive advantage to their chain members that the small independent retailer will be put at a decided competitive disadvantage, and that is my concern."

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

The amendment by Mrs. Wojahn was adopted on a rising vote.

Mr. Eng moved adoption of the following amendments:  
On page 1, line 4 of the printed bill insert a new section to read as follows:

"Section 1. Section 1, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.010 are each amended to read as follows:

It is hereby declared to be the policy of the legislature, recognizing the close relationship between professional gambling and organized crime, to restrain all persons from seeking profit from professional gambling activities in this state; to restrain all persons from patronizing such professional gambling activities; to safeguard the public against the evils induced by common gamblers and common gambling houses engaged in professional gambling; and at the same time, both to preserve the freedom of the press and to avoid restricting participation by individuals in activities and social pastimes, which activities and social pastimes are more for amusement rather than for profit, do not maliciously affect the public, and do not breach the peace.

The legislature further declares that the raising of funds for the promotion of bona fide charitable or nonprofit organizations is in the public interest as is participation in such activities and social pastimes as are hereinafter in this chapter authorized.

The legislature further declares that the conducting of bingo, raffles, and amusement games and the operation of punch boards, pull tabs, games of Mah Jongg, and other social pastimes, when conducted pursuant to the provisions of this chapter and any rules and regulations adopted pursuant thereto, are hereby authorized, as are only such lotteries for which no valuable consideration has been paid or agreed to be paid as hereinafter in this chapter provided.

All factors incident to the activities authorized in

this chapter shall be closely controlled, and the provisions of this chapter shall be liberally construed to achieve such end."

Remember the remaining section consecutively.

On page 4, after line 33 and before line 1 on page 5, insert the following:

"Any device or equipment used in the playing of Mah Jongg shall not be included in the definition contained in this subsection."

On page 5, line 11 after "gambling" and before the period insert "except rooms or parlors where games of Mah Jongg are played"

On page 9, line 2 insert the following:

"(21) '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."

Sec. 3. Section 3, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.030 are each amended to read as follows:

(1) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct bingo games, raffles, amusement games, and Mah Jongg games and to utilize punch boards and pull-tabs, when licensed and conducted or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(2) The legislature hereby authorizes any person, association or organization to utilize punch boards and pull-tabs as a commercial stimulant when licensed and utilized or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(3) The legislature hereby authorizes the management of any agricultural fair as authorized under chapters 15.76 and 36.37 RCW to conduct amusement games when licensed and operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto as well as authorizing said amusement games as so licensed and operated to be conducted upon any property of a city of the first class devoted to uses incident to a civic center, worlds fair or similar exposition.

The penalties provided for professional gambling in this chapter, shall not apply to bingo games, raffles, punch boards, pull-tabs, amusement games, or Mah Jongg games when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.

Sec. 4. Section 7, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.070 are each amended to read as follows:

The commission shall have the following powers and duties:

(1) To authorize and issue licenses for a period not to exceed one year to bona fide charitable or nonprofit organizations approved by the commission meeting the requirements of this chapter and any rules and regulations adopted pursuant thereto permitting said organizations to conduct bingo games, raffles, amusement games, games of Mah Jongg, and to utilize punch board and pull-tabs in accordance with the provisions of this chapter and any

rules and regulations adopted pursuant thereto and to revoke or suspend said licenses for violation of any provisions of this chapter or any rules and regulations adopted pursuant thereto: PROVIDED, That 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 the commission shall not deny a license to an otherwise qualified applicant in an effort to limit the number of licenses to be issued: PROVIDED FURTHER, That the commission or director shall not issue, suspend or revoke any license because of considerations of race, creed, color or national origin: AND PROVIDED FURTHER, That the commission may authorize the director to temporarily issue or suspend licenses subject to final action by the commission;

(2) To authorize and issue licenses for a period not to exceed one year to any person, association or organization approved by the commission meeting the requirements of this chapter and any rules and regulations adopted pursuant thereto permitting said person, association or organization to utilize punch boards and pull-tabs as a commercial stimulant and to operate rooms where Mah Jongg may be played, in accordance with the provisions of this chapter and any rules and regulations adopted pursuant thereto and to revoke or suspend said licenses for violation of any provisions of this chapter and any rules and regulations adopted pursuant thereto: PROVIDED, That the commission shall not deny a license to an otherwise qualified applicant in an effort to limit the number of licenses to be issued: PROVIDED, FURTHER, That the commission may authorize the director to temporarily issue or suspend licenses subject to final action by the commission;

(3) To establish a schedule of annual license fees for carrying on specific gambling activities upon the premises which shall provide to the commission not less than an amount of money adequate to cover all costs incurred by the commission relative to licensing under this chapter and the enforcement by the commission of the provisions of this chapter and rules and regulations adopted pursuant thereto: PROVIDED, That all licensing fees shall be submitted with an application therefor and not less than fifty percent of any such license fee shall be retained by the commission upon the denial of any such license as its reasonable expense for investigation into the granting thereof.

Notwithstanding any other provision of this subsection, raffles may be conducted by any bona fide charitable or nonprofit organization not more than once each year without payment of a license fee if such organization shall not receive in gross receipts therefrom an amount over five thousand dollars.

(4) To require that applications for all licenses 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 license 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 licenses 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;

(5) To require that any license holder maintain records as directed by the commission and submit such reports as the commission may deem necessary;

(6) To require that all income from bingo games, raffles, and amusement games be receipted for at the time the income is received from each individual player and that all prizes be receipted for at the time the prize is distributed to each individual player and to require that all raffle tickets be consecutively numbered and accounted for: 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.

(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 licensee; (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 nonprofit, purposes;

(8) To cooperate with and secure the cooperation of county, city and other local or state agencies in investigating any matter within the scope of its duties and responsibilities;

(9) In accordance with RCW 9.46.080, to adopt such rules and regulations as are deemed necessary to carry out the purposes and provisions of this chapter. All rules and regulations shall be adopted pursuant to the administrative procedure act, chapter 34.04 RCW;

(10) To set forth for the perusal of counties, city-counties, cities and towns, model ordinances by which any legislative authority thereof may enter into the taxing of any gambling activity authorized in RCW 9.46.030; and

(11) To perform all other matters and things necessary to carry out the purposes and provisions of this chapter."

Representatives Eng and Kuehnle spoke in favor of adoption of the amendments.

The amendments by Mr. Eng were adopted.

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle and Conner:

On page 9, following section 1, add a new section to



read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW a new section to read as follows:

In addition to other powers and duties under this chapter, and notwithstanding any other provision of this chapter, the commission may authorize and issue licenses for a period not to exceed one year to any organization, whether incorporated or otherwise, which the commission determines to be established for charitable, benevolent, eleemosynary, educational, civic, political, social, fraternal, athletic or agricultural purposes and which is operated primarily for purposes other than the operation of gambling activities as authorized under this chapter, and upon such commission determination, such organization shall be deemed a 'bona fide charitable or nonprofit organization' for the purposes of this chapter, and until the expiration of the aforesaid licensing period."

Representatives Kuehnle and Conner spoke in favor of adoption of the amendment.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Pullen.

Mr. Pullen: "Representative Kuehnle, would the state of Washington qualify under your amendment as a nonprofit organization?"

Mr. Kuehnle: "I would think the answer to the question would be 'no,' because it would not comply with all of the other stipulations--that being that the income would be used for charitable purposes and for the benefit of the members only and that type of thing. I think that hardly could be construed to mean the state of Washington."

Mrs. Hayner spoke in favor of adoption of the amendment.

The amendment by Representatives Kuehnle and Conner was adopted.

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle and Conner:

On page 9 add a new section following section 1 to read as follows:

"Sec. 2. Section 11, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.110 are each amended to read as follows:

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 RCW 9.46.030 within its jurisdiction, the tax receipts to go to the county, city-county, city, or town so taxing the same: PROVIDED, That 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; FURTHER, That (1) punch boards and pull-tabs, chances on which shall only be sold to adults, which shall have a twenty-five cent limit on a single chance thereon, shall be taxed on a basis which shall reflect only the ((gross income)) anticipated gross receipts ((of the business in which the punch boards and pull-tabs are displayed)) from such punch boards and pull-tabs; and (2) no punch board or pull-tab may award as a prize upon a winning number or symbol being drawn the opportunity of taking a chance upon any other punch board or pull-tab; and (3) all prizes for punch boards and pull-tabs must be on display within the immediate area of the premises wherein any such punch board or pull-tab is located and upon a winning number or symbol being drawn, such prize must be immediately removed therefrom, or such omission shall be deemed a fraud for the purposes of this chapter; and (4) when any person shall win over five dollars in money or merchandise from any punch board or pull-tab, every licensee hereunder shall keep a public record thereof for at least ninety days thereafter containing such information as the commission shall deem necessary: AND PROVIDED FURTHER, That taxation of bingo, raffles and amusement games shall never be in an amount greater than ten percent of the gross revenue received therefrom."

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

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Ms. Sommers.

Ms. Sommers: "I am very happy to see this amendment on here. I think it is a needed amendment, and I would just like to clarify, if we could, the meaning of the words 'anticipated gross receipts.' Do you understand it, Representative Kuehnle, to mean the maximum potential that could be received from the board?"

Mr. Kuehnle: "I appreciate the question because I think this does need clarification. It is very difficult to write language that is going to set forth in the statute exactly what we would like to have it accomplish. This was discussed at great length by the committee, the interim committee, etc. The thing that really we are trying to avoid is reporting on the part of these businesses--a lot of complicated reporting whereby they are taxed after the fact. For example, a city could choose to tax ten percent of the total dollar value of the board or ten percent of the actual take from the board, and this involves a lot of complicated bookkeeping which we would like to avoid. This, therefore, is the reason for the wording 'anticipated volume' so that the taxation would be done in advance. And I would encourage the gambling commission to further clarify this thing. The direction that those of us who have been involved in discussing it feel that it should go, is that you get an application from a little lunch counter out here that only has eight stools, and they are therefore

probably going to have two or three punch boards. So you will call that Category A, and they are going to pay X number of dollars per year for a license. On the other hand, here is a large tavern over here with 100 stools, and you would anticipate that they would have 50 punch boards, so that would be Category C, and their tax would be 3-X. This, I think, is the intent of the thing and the reason for the language 'anticipated gross receipts'."

The amendment was adopted.

The Clerk read the following amendments by Representatives Kuehnle and Conner:

On page 1, following the enacting clause insert a new section as follows:

"Section 1. Section 1, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.010 are each amended to read as follows:

It is hereby declared to be the policy of the legislature, recognizing the close relationship between professional gambling and organized crime, to restrain all persons from seeking profit from professional gambling activities in this state; to restrain all persons from patronizing such professional gambling activities; to safeguard the public against the evils induced by common gamblers and common gambling houses engaged in professional gambling; and at the same time, both to preserve the freedom of the press and to avoid restricting participation by individuals in activities and social pastimes, which activities and social pastimes are more for amusement rather than for profit, do not maliciously affect the public, and do not breach the peace.

The legislature further declares that the raising of funds for the promotion of bona fide charitable or nonprofit organizations is in the public interest as is participation in such activities and social pastimes as are hereinafter in this chapter authorized.

The legislature further declares that the conducting of bingo, raffles, and amusement games and the operation of punch boards, pull tabs, social card games, and other social pastimes, when conducted pursuant to the provisions of this chapter and any rules and regulations adopted pursuant thereto, are hereby authorized, as are only such lotteries for which no valuable consideration has been paid or agreed to be paid as hereinafter in this chapter provided.

All factors incident to the activities authorized in this chapter shall be closely controlled, and the provisions of this chapter shall be liberally construed to achieve such end."

Re-number the remaining section consecutively.

On page 3, section 1, beginning on line 30 after "insurance." add a new sentence as follows: "Engaging in 'social card games' shall not be deemed gambling for the purposes of this chapter."

On page 4, section 1, line 33 after "transporting." add a new sentence as follows: "Any device, mechanism, furniture or premises used for 'social card games' shall not be deemed gambling devices for the purposes of this chapter."

On page 5, section 1, line 13 after "gambling." add a new sentence as follows: "Premises used for 'social card games' shall not be deemed gambling premises for the purposes of this chapter."

On page 8, section 1 of the printed bill following subsection (17) add a new subsection as follows:

"(18) 'Social card game' shall mean any card game played upon the premises of, or under the authority of, a bona fide charitable or nonprofit organization 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."

On page 9, following section 1 of the printed bill, renumbered section 2, add two new sections as follows:

"Sec. 3. Section 3, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.030 are each amended to read as follows:

(1) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct bingo games, raffles, amusement games, and social card games, to utilize punch boards and pull-tabs, when licensed and conducted or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(2) The legislature hereby authorizes any person, association or organization to utilize punch boards and pull-tabs as a commercial stimulant when licensed and utilized or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(3) The legislature hereby authorizes the management of any agricultural fair as authorized under chapters 15.76 and 36.37 RCW to conduct amusement games when licensed and operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto as well as authorizing said amusement games as so licensed and operated to be conducted upon any property of a city of the first class devoted to uses incident to a civic center, worlds fair or similar exposition.

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.

Sec. 4. Section 7, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.070 are each amended to read as follows:

The commission shall have the following powers and duties:

(1) To authorize and issue licenses for a period not to exceed one year to bona fide charitable or nonprofit organizations approved by the commission meeting the requirements of this chapter and any rules and regulations adopted pursuant thereto permitting said organizations to conduct bingo games, raffles, amusement games, and social card games, to utilize punch board and pull-tabs in accordance with the provisions of this chapter and any rules and regulations adopted pursuant thereto and to

revoke or suspend said licenses for violation of any provisions of this chapter or any rules and regulations adopted pursuant thereto: PROVIDED, That 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 the commission shall not deny a license to an otherwise qualified applicant in an effort to limit the number of licenses to be issued: PROVIDED FURTHER, That the commission or director shall not issue, suspend or revoke any license because of considerations of race, creed, color or national origin: AND PROVIDED FURTHER, That the commission may authorize the director to temporarily issue or suspend licenses subject to final action by the commission;

(2) To authorize and issue licenses for a period not to exceed one year to any person, association or organization approved by the commission meeting the requirements of this chapter and any rules and regulations adopted pursuant thereto permitting said person, association or organization to utilize punch boards and pull-tabs as a commercial stimulant in accordance with the provisions of this chapter and any rules and regulations adopted pursuant thereto and to revoke or suspend said licenses for violation of any provisions of this chapter and any rules and regulations adopted pursuant thereto: PROVIDED, That the commission shall not deny a license to an otherwise qualified applicant in an effort to limit the number of licenses to be issued: PROVIDED, FURTHER, That the commission may authorize the director to temporarily issue or suspend licenses subject to final action by the commission;

(3) To establish a schedule of annual license fees for carrying on specific gambling activities upon the premises which shall provide to the commission not less than an amount of money adequate to cover all costs incurred by the commission relative to licensing under this chapter and the enforcement by the commission of the provisions of this chapter and rules and regulations adopted pursuant thereto: PROVIDED, That all licensing fees shall be submitted with an application therefor and not less than fifty percent of any such license fee shall be retained by the commission upon the denial of any such license as its reasonable expense for investigation into the granting thereof.

Notwithstanding any other provision of this subsection, raffles may be conducted by any bona fide charitable or nonprofit organization not more than once each year without payment of a license fee if such organization shall not receive in gross receipts therefrom an amount over five thousand dollars.

(4) To require that applications for all licenses 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 license 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 licenses 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;

(5) To require that any license holder maintain records as directed by the commission and submit such reports as the commission may deem necessary;

(6) To require that all income from bingo games, raffles, and amusement games be receipted for at the time the income is received from each individual player and that all prizes be receipted for at the time the prize is distributed to each individual player and to require that all raffle tickets be consecutively numbered and accounted for: 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.

(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 licensee; (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 nonprofit, purposes;

(8) To cooperate with and secure the cooperation of county, city and other local or state agencies in investigating any matter within the scope of its duties and responsibilities;

(9) In accordance with RCW 9.46.080, to adopt such rules and regulations as are deemed necessary to carry out the purposes and provisions of this chapter. All rules and regulations shall be adopted pursuant to the administrative procedure act, chapter 34.04 RCW;

(10) To set forth for the perusal of counties, city-counties, cities and towns, model ordinances by which any legislative authority thereof may enter into the taxing of any gambling activity authorized in RCW 9.46.030; and

(11) To perform all other matters and things necessary to carry out the purposes and provisions of this chapter."

#### PARLIAMENTARY INQUIRY

Mr. Kuehnle: "With the permission of the House, may we handle the series of amendments except for the title amendment as one amendment?"

The Speaker (Mr. O'Brien presiding): "Representative Kuehnle requests permission of the House that all of the amendments offered by himself and Representative Conner be considered as one amendment. Are

there any objections? No objections--it is moved and seconded that all the amendments offered by Representatives Kuehnle and Conner be considered as one amendment. Is there any discussion?"

Mr. Kuehnle: "All of the amendments deal with the same subject and therefore it is appropriate that we discuss them as one, Mr. Speaker."

The Speaker (Mr. O'Brien presiding): "It has been moved and seconded that all amendments be adopted as one amendment. Is there any discussion? Representative Kuehnle."

Mr. Kuehnle: "Thank you, Mr. Speaker. The topic of the amendments is that of social cardrooms, and the discussion will cover all of them as a matter of technicality. We have to get into four or five sections, but it is appropriate that they all be accepted or they all be rejected. Certainly there is no reason for dividing them and considering them separately."

The Speaker (Mr. O'Brien presiding): "I've already placed the motion. We are now going to consider all the amendments as one amendment. The discussion is to adopt all your amendments in total."

Mr. Kuehnle: "The topic we are talking about is social card games."

The Speaker (Mr. O'Brien presiding): "I've already put the motion twice, Mr. Kuehnle. We are now going to consider all your amendments as one amendment. The discussion now is to adopt all of your amendments in total."

Mr. Kuehnle: "Do you want then a discussion of the total package of amendments? I've said three times they relate to social card games."

The Speaker (Mr. O'Brien presiding): "Is there any discussion? As many in favor of adoption of all of the amendments, considered as one, say 'aye.' As many as are opposed, say 'nay.' The ayes have it. The motion is carried. Are there any further amendments? We have now a series of amendments to the title."

The Clerk read a title amendment by Mr. Eng.

#### POINT OF ORDER

Mr. Julin: "Mr. Speaker, with reference to the last motion, it was my understanding that what we just voted on was a motion to consider all of Representative Kuehnle's amendments as one. It was not a vote on the substance of those amendments. As I understand what we are now doing is to proceed to amend the title, saying that we have already adopted all of those amendments, and I don't believe that was the motion."

The Speaker (Mr. O'Brien presiding): "I believe at first I asked if there were any objections to the consideration of all of Mr. Kuehnle's amendments as one. There weren't any objections, so then I put the motion. The motion was placed and we asked for discussion. We asked for discussion on all the amendments as one. And the House apparently by its action vote approved adoption of all the amendments as one amendment. You can move to reconsider if you want, if you voted on the prevailing side, or whatever you want to do."

#### PARLIAMENTARY INQUIRY

Mr. Curtis: "I wonder if we could ask the Clerk to reread the motion that you put, as you stated it."

#### MOTION FOR RECONSIDERATION

Mr. Kuehnle, having voted on the prevailing side, moved that the House do now reconsider the vote by which the last action prevailed.

The Speaker (Mr. O'Brien presiding): "Mr. Kuehnle, having voted on the prevailing side, now moves to reconsider the vote by which the last motion was adopted, approving several of his amendments as one."

The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments to Second Substitute House Bill No. 487 by Representatives Kuehnle and Conner, which encompass seven pages.

Mr. Kuehnle spoke in favor of adoption of the amendments.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Thank you, I haven't really had a chance to study this, but I do know that the Governor vetoed it last time. Would you explain again please what was the basis of his veto? Because unless it is significantly changed I think we might be wasting our time to do it again."

Mr. Kuehnle: "Well, Representative Douthwaite, I thought I explained that, or I attempted to. The way the language had been drafted originally, there was an intermix of language with regard to public cardrooms and social cardrooms, and it would have been virtually impossible to veto out the public cardrooms and leave the social cardrooms intact. I think maybe it could have been done but it would have left some serious question marks. And I am of the opinion that the Governor felt that rather than leaving those question marks, that the simplest thing to do was to take it out. Now by putting this section of it back in, it is very clearly restricted to nonprofit clubs and



nobody makes any money off of it. All the club does is furnish the facility for its members if they want to have a bridge tournament or a cribbage game, or a poker game, as far as that is concerned. But there is no take--no participation by the house, and I think really all it does is statutorily say that which constitutionally you have every right to do anyway."

Mr. Pullen spoke against adoption of the amendments, and Mrs. Wojahn spoke in favor of their adoption.

The amendments by Representatives Kuehnle and Conner were adopted.

On motion of Mr. Eng, the following amendments to the title were adopted:

On page 1, line 1 of the title after "lotteries;" and before "amending" strike "and" and insert "amending section 1, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.010;"

On page 1, line 2 of the title after "RCW 9.46.020" and before the period insert "amending section 3, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.030; and amending section 7, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.070"

On motion of Mr. Kuehnle, the following amendment to the title was adopted:

In line 2 of the title after "9.46.020" and before the period insert "; amending sections 1, 3 and 7, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.010, 9.46.030 and 9.46.070; amending section 11, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.110; and adding a new section to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW"

Second Substitute House Bill No. 487 was ordered engrossed.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed Second Substitute House Bill No. 487 was placed on final passage.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mrs. Johnson.

Mrs. Johnson: "Representative Kuehnle, on page 5, subsection (c), lines 29, 30 and 31 of the second substitute measure, where we are talking about coupons for entering contests, in any way would this language limit participation only within our state?"

Mr. Kuehnle: "I think the answer to your question is a definite 'no.' This thing has been discussed in committee at great length and the modification language that is contained in that section was simply striking the provision that limited those promotions to once a year and a period of not more than 90 days, which provision had made it impossible for Readers Digest contests and other similar

contests to be carried on in this state as they are in other states. The problem that you are referring to, the language specifically states that the following activities do not constitute valuable consideration as an element of a lottery, and subsection (c) then says, 'Sending a coupon or entry blank by United States mail to a designated address in connection with a promotion conducted in this state.' That language is not intended to mean that it must be a promotion which originates in this state. It certainly can be a part of a promotion which is a nationwide contest and is carried on in this state."

Mrs. Johnson: "Thank you, Representative Kuehnle. I wanted to make certain that this idea is expressed on the floor of the House so that the legislative intent of entering into such type of promotional contests was not limited."

Representatives Kraabel and Pullen spoke against passage of the bill, and Representative Wojahn spoke in favor of it.

#### NOTION

Mr. Douthwaite moved that the House defer further consideration of Engrossed Second Substitute House Bill No. 487, and that it be placed on tomorrow's third reading calendar.

Mr. Douthwaite spoke in favor of the motion, and Mr. Charette spoke against it.

The motion by Mr. Douthwaite was lost.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 487, and the bill was passed by the following vote: Yeas, 78; nays, 18; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., O'Brien, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barden, Blair, Bluechel, Cunningham, Douthwaite, Eikenberry, Freeman, Gilleland, Julin, Kraabel, Matthews, Moon, North L., Paris, Pullen, Rabel, Williams, Zimmerman.

Not voting: Representatives Lysen, Pardini.

Engrossed Second Substitute House Bill No. 487,

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

## MOTION

On motion of Mr. Charette, the House recessed until 1:45 p.m.

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AFTERNOON SESSION  
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The House was called to order at 1:45 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

## SPECIAL ORDER OF BUSINESS

The hour of 2:00 p.m. having arrived, the Speaker (Mr. O'Brien presiding) declared the question before the House to be the special order of business, ENGROSSED SUBSTITUTE SENATE BILL NO. 2956 on second reading.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2956, by Committee on Ways and Means (Originally sponsored by Senators Mardesich, Atwood and Durkan - by Executive request):

Authorizing expenditures by state agencies and offices.

Mr. Pardini demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Lysen.

## MOTION

Mr. Charette moved that the absent member be excused and the House proceed with business under the Call of the House.

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

## PARLIAMENTARY INQUIRY

Mr. Julin: "Mr. Speaker, under Rule 73, as I read it, it requires that the Sergeant at Arms would report the absent members and immediately proceed to bring the absent members before the body. I would ask as a general question of any member of the House if they know whether or not I am correct in my understanding that Representative Lysen is presently in Seattle addressing the Democratic Convention."

The Speaker (Mr. O'Brien presiding): "I believe your remarks are out of order."

## ROLL CALL

The Clerk called the roll on the motion by Representative Charette that the absent member be excused and the House proceed with business under the Call of the House, and the motion was carried by the following vote: Yeas, 72; nays, 25; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Mr. Speaker.

Voting nay: Representatives Benitz, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Garrett, Gilleland, Hoggins, Juelling, Julin, Kopet, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Polk, Pullen, Swayze, Wilson, Zimmerman.

Not voting: Representative Lysen.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2956:

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Journal for September 10, 1973, 2nd ex. sess.)

The bill was read the second time.

Mr. Bagnariol moved adoption of the committee amendment to the body of the bill.

Mr. Zimmerman moved adoption of the following amendment to the committee amendment:

On page 2, section 5, line 7 after "\$" strike "500,000" and insert "250,000"

Mr. Zimmerman spoke in favor of the amendment to the amendment, and Mr. Bagnariol spoke against it.

## POINT OF ORDER

Mr. Newhouse: "If I understand correctly, there is

more than one amendment on this subject, and it would be the normal procedure as I understand to vote on the greater change first."

The Speaker (Mr. O'Brien presiding): "We are going to follow that procedure. We are going to have the higher figure first on all amendments."

Mr. Bagnariol concluded his remarks in opposition to the amendment by Mr. Zimmerman to the committee amendment, and Mr. Kopet spoke in favor of its adoption.

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

Mr. Thompson spoke against adoption of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Zimmerman to the committee amendment to Engrossed Substitute Senate Bill No. 2956, and the amendment to the amendment was lost by the following vote: Yeas, 36; nays, 61; not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Blair, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gallagher, Garrett, Gilleland, Hayner, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Berentson, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Lysen.

Mr. Kuehnle moved adoption of the following amendment to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

On page 2, section 5, line 8 following "General Fund Appropriation:" strike all material down to and including "\$500,000" on line 13 and insert "For coordinating and analyzing the biological baseline studies which have been and are presently being conducted by all concerned groups relative to Washington state waters in which the greatest risk of damage from oil spills exists for the biennium ending June 30, 1975.....\$150,000"

Representative Kuehnle spoke in favor of adoption of the amendment to the amendment, and Representatives Bagnariol, Smith and Hansey spoke against it.

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

POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Bagnariol, in the plan to appropriate this \$500,000, is there a corresponding plan as to the work that is to be done--a definitive plan? Or is this just an amount of money that has been estimated to perform this work?"

Mr. Bagnariol: "I believe I would have to say (someone may have more details) that this is an estimate of what it would cost the department to complete their inventory."

Mr. Leckenby spoke in favor of adoption of the amendment to the committee amendment, and Mr. Moon spoke against it.

Mr. Lysen appeared at the bar of the House.

STATEMENT FOR THE JOURNAL

It was noted that I was briefly absent from the House Chamber today. For the record, I was working on House Bill No. 519 which has just been passed out of the Senate Local Government Committee today. This bill is of highest importance to the residents of my district. I thought it was important that I be in attendance at that hearing held today in the Senate.

KING LYSEN, 31st District.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to the committee amendment to Engrossed Substitute Senate Bill No. 2956, and the amendment was lost by the following vote: Yeas, 16; nays, 82; not voting, 0.

Voting yea: Representatives Amen, Benitz, Blair, Cunningham, Curtis, Flanagan, Hayner, Juelling, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Newhouse, Schumaker, Tilly.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Mr. Thompson moved adoption of the following amendment by Mr. Charette to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

On page 2, beginning on line 14 strike all of section 6.

Representatives Charette, May and Pardini spoke in favor of adoption of the amendment to the amendment.

#### PERSONAL PRIVILEGE

Mr. Bagnariol: "Mr. Speaker, I would like to indicate that our staff has at no point made a recommendation on this particular issue."

Mr. Pardini concluded his remarks in favor of the amendment to the amendment.

Representatives Kopet and Ceccarelli spoke against adoption of the amendment by Mr. Charette to the committee amendment.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Julin.

Mr. Julin: "Representative Charette, you have referred to an agreement, and Representatives Kopet and Ceccarelli have indicated that this plan is in accordance with the general program of alcoholism. And yet what we are being asked to do by this particular appropriation is in effect to give legal status to an agreement that was entered into on August 14, 1973. Without asking you to identify the individual or parties, or in any way deal in personalities, I wonder if you could tell us basically what that agreement is so we will know if it is consistent with the legislation seeking to implement it."

Mr. Charette: "In answering your question, the agreement states (after the lawyers have finished with four 'whereases' and get past the 'now therefore' part) that the Department of Social and Health Services will enact rules and regulations pursuant to chapter 34.04 RCW--the Administrative Procedure Act--to implement rules and regulations to provide for the expenditures by the department pursuant to chapter 155. Then it sets forth this distribution formula that I have talked about (that we presently have) and this agreement was signed by one legislator and a deputy secretary of the Department of Social and Health Services. The point I guess I am making is that if each member were to take the list, and even from the information I have, it can only tell you what your county is going to get under the new formula. And I don't think any legislator here knows what their county is presently getting or their program is getting. I must say also, in answer to your question, that this is the sort of thing that can possibly always happen in the legislative process if somebody doesn't catch it."

Mr. Julin: "Representative Charette, what is the urgency of implementing this new distribution formula for alcoholic programs, and can it reasonably wait until the January session?"

Mr. Charette: "In answer to the first question as to the urgency of implementing the new formula, I don't believe there is that much urgency. In answer to the second question, whether or not we should wait until January--at least in this person's opinion--yes."

Mr. Thompson spoke against adoption of the amendment.

Mr. Charette stated that with the agreement received from Representative Thompson, he would withdraw his amendment in order for Mr. Thompson to propose another amendment.

With the consent of the House, Mr. Charette withdrew his amendment.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Charette, if we do withdraw your amendment, and the proposed amendment by Mr. Thompson were to be adopted, could not that contract to which you referred still go into effect?"

Mr. Charette: "I can't answer the question that you have asked--could it go into effect. I think this would show the intent of the House if we adopt the amendment to appropriate \$350,000. The money is going to go to the Department of Social and Health Services, and I would assume that there would be legislative input on this money, before it were dispersed."

Mr. Newhouse: "I am a little disturbed about the term 'legislative input' if it is to be one Senator."

Mr. Charette: "In further answer, Mr. Newhouse, I think the purpose in offering the amendment has now brought the problem out into the public view so to speak, and that the Department of Social and Health Services, particularly with the new administration, would not want to get into the bad graces of 98 members of the House of Representatives. And I think there will be more input than just the threats of one person in the legislature."

Mr. Barden moved adoption of the following amendment to the committee amendment to Engrossed Substitute Senate Bill No. 2956 by Representatives Barden, Freeman, Nelson, Pardini, Gilleland, Cunningham, Eikenberry, Polk, Brown, Wilson, Julin, Swayze, Morrison, Tilly and Jueling:

On page 1, line 15 insert the following:

"Sec. 2. Section 8, chapter 137, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION



General Fund Appropriation: To administer the provisions of chapter 1, Laws of 1973 (Initiative 276) ; PROVIDED, That \$50,000 shall be used to pay the salaries and expenses of investigative staff who shall investigate and make findings to the commission relative to complaints against candidates of violations of such act.....(492,832)242,832"  
 Renumber the remaining sections consecutively

Mr. Barden spoke in favor of the amendment to the amendment, and Mr. Bagnariol spoke against it.

#### PARLIAMENTARY INQUIRY

Mr. Julin: "Mr. Speaker, I would like to know the status of Representative Charette's amendment and the proposed amendment thereto by Representative Thompson."

The Speaker (Mr. O'Brien presiding): "It is in the process of being reproduced for distribution to the members."

Mr. Julin: "Is the present status that Representative Charette has withdrawn his amendment, and we will be returning to that with the proposed amendment by Mr. Thompson?"

The Speaker (Mr. O'Brien presiding): "That is right. We are in the process of putting it together now."

Mr. Pardini demanded an electric roll call on the amendment by Mr. Barden to the amendment, and the demand was sustained.

Mr. King spoke against adoption of the amendment by Mr. Barden and others to the committee amendment.

The Speaker assumed the Chair.

Representatives Julin and Brown spoke in favor of adoption of the amendment to the amendment, and Ms. Maxie spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Barden and others to the committee amendment to Engrossed Substitute Senate Bill No. 2956, and the amendment to the amendment was lost by the following vote: Yeas, 42; nays, 56; not voting, 0.

Voting yea: Representatives Barden, Berentson, Blair, Brown, Charnley, Cunningham, Curtis, Ehlers, Eikenberry, Erickson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kelley, Kopet, Kraabel, Leckenby, Lysen, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson,

Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Bluechel, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ellis, Eng, Flanagan, Fortson, Gaines, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North P., O'Brien, Parker, Perry, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Mr. Thompson moved adoption of the following amendment to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

On page 2, section 6, lines 21 and 22 strike "departmental agreement as of August 14, 1973" and insert "the joint approval of the Senate and House Social and Health Services Committees"

Mr. Thompson spoke in favor of adoption of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Kopet.

Mr. Kopet: "A number of us would have preferred the Legislative Budget Committee, and I would like to ask this question: Do I have your assurance that the matter will be resolved in time for the counties to be able to fulfill their budget requirements as to the distribution of funds for this program?"

Mr. Thompson: "Well, I would deem that an essential requirement, Representative Kopet, and I am sure it would be recognized as such."

Mr. Pardini spoke against adoption of the amendment to the amendment, and Representatives Ceccarelli and Adams spoke in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Julin.

Mr. Julin: "Representative Thompson, anticipating that you may prevail in this particular motion, although I would prefer, personally, to join with Representative Pardini in his proposed substitute therefor, I nonetheless, would like to have in the record that it is your intent and the intent of the legislature by your proposed amendment to negate and nullify and hold for naught the supposed agreement dated August 14, 1973, that is referred to in the bill now before us. Is that the intent of this amendment?"

Mr. Thompson: "Representative Julin, I think that would fully be the result of the adoption of this amendment. And since you referred to the proposal of Representative Pardini, let me respond by saying that the fact that this amount of money is in the budget bill is the result of Ways and Means action. Ways and Means considered

the amount of money and they placed it in the budget bill. This assignment to the Social and Health Services Committee has to do with the formula distribution based on the health needs of the counties."

Mr. Julin: "Representative Thompson, you have indicated in response to my question that it would be the effect of this amendment to negate and hold for naught that agreement. I would like to be clear as far as the record is concerned, that it is also your intent as the sponsor of this particular amendment that that be the result, so that when we vote, we are voting in support of that intent."

Mr. Thompson: "It is my intent."

Mr. Williams spoke against adoption of the amendment to the amendment, and Mr. Leckenby spoke in favor of it.

Mr. Luders demanded the previous question and the demand was sustained.

The amendment by Mr. Thompson to the committee amendment to Engrossed Substitute Senate Bill No. 2956 was adopted.

Mr. Hansey moved adoption of the following amendment by Representatives Hansey, Berentson and Goltz to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

On page 2, section 7, line 26 after "agreement" strike everything down to and including "Ferry" on line 30 and insert "between Wahkiakum County and the highway commission for the operation and maintenance of the Puget Island Ferry, \$20,000; to the Whatcom County Board of Commissioners for the operation and maintenance of the Lummi Island Ferry, \$10,000; and to the Skagit County Board of County Commissioners for the operation and maintenance of the Guemes Island Ferry, \$10,000"

Representatives Hansey and Berentson spoke in favor of adoption of the amendment to the amendment, and Representatives Perry and Thompson spoke against it.

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

Mr. Hansey spoke again in favor of adoption of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Hansey, Berentson and Goltz to the committee amendment to Engrossed Substitute Senate Bill No. 2956, and the amendment to the amendment was lost by the following vote: Yeas, 16; nays, 82; not voting, 0.

Voting yea: Representatives Berentson, Blair, Brown, Curtis, Fortson, Gilleland, Goltz, Hansey, Julin, Kraabel, Matthews, Moon, Polk, Schumaker, Van Dyk, Wilson.

Voting nay: Representatives Adams, Amen, Anderson,

Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Hansen, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Wanke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

On motion of Mr. Leckenby, the following amendment to the committee amendment to Engrossed Substitute Senate Bill No. 2956 was adopted:

On page 3, section 10, line 23 after "sess." insert ": PROVIDED, That the superintendent of public instruction shall report on anticipated expenditures to the Legislative Budget Committee for approval prior to committing any of these funds."

On motion of Mr. Kopet, the following amendment by Representatives Kopet and Luders was adopted:

On page 3, line 24 of the printed committee amendment insert the following new section:

"NEW SECTION. Sec. 11. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund Appropriation: To implement a training and informational program, during the biennium ending June 30, 1975, designed to train teachers, teacher representatives, superintendents, school board members, other administrators, and interested parties in the methods and procedures for using professional negotiations constructively.....\$125,000"

Renumber the remaining sections consecutively.

Mr. Matthews moved adoption of the following amendment by Representatives Matthews, Newhouse and Kuehne to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

On page 4, section 12, line 5 after "Program" and before "\$" insert ": PROVIDED, That on all informational material distributed by order of the State Fire Marshal or the State Insurance Commissioner, the signature or the name of the Insurance Commissioner shall not be larger than the smallest print on that material."

#### POINT OF ORDER

Mr. Bagnariol: "Mr. Speaker, I challenge the scope and object of this amendment to the budget bill."

The Speaker: "The Speaker needs further information. Is the budgetary matter we are talking about 'Fire Safety and Regulations Program?' Is the budget for the printing within that?"

Mr. Bagnariol: "Mr. Speaker, I would assume that the printing would come out of the total budget, but I really can't give you an actual answer."

The Speaker: "In light of that then, I guess the proviso in regards to the restriction on expenditure of any money within this provision would probably be in order. Therefore, you may proceed, Mr. Matthews."

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

The amendment by Representatives Matthews, Newhouse and Kuehnle to the committee amendment to Engrossed Substitute Senate Bill No. 2956 was adopted on a rising vote.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE BILL NO. 706.

#### PARLIAMENTARY INQUIRY

Mr. Kelley: "My point of inquiry is whether or not, within the thrust, or at least the scope, of the last amendment we just passed, it would cover other offices such as, perhaps (just drawing one at random) the Secretary of State?"

The Speaker: "It is the Speaker's reading of the amendment that the amendment did not cover the Secretary of State. I don't know whether it was the side of the aisle the amendment came from, but it did not."

Mr. Goltz moved adoption of the following amendment by Representatives Goltz and Van Dyk to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

Beginning on page 15, line 19 strike all of sections 14, 15, 16, 17, 18 and 19, and renumber the remaining sections consecutively

Mr. Goltz spoke in favor of adoption of the amendment to the amendment.

#### MOTION

Mr. Shinpoch moved that the question be divided.

Mr. Shinpoch: "We have two basic subjects, and then there is one other subject that I think should be separate from that. I will take the third one first, which doesn't enter into the basic discussion we have today. I would like to set aside the \$100,00 for research into burning grass as one item. The other two basic items under discussion are the proposed change from contract renewal date of one year to six months and the straight budgetary item that we propose to reduce in the second year of the biennium. I would move that we divide that into three

pieces--that we discuss them separately so we can get some of the emotional issues out of it and deal more in the factual areas."

The Speaker: "If I understand your request for division, you are talking about the monetary reduction to the various schools, then the teachers' tenure."

Mr. Shinpoch: "Yes, there is a proviso in each one of the higher institutions that deals with the tenure problem but there are three changes in the appropriation--Western, Central and Eastern, and there is one separate item for \$100,000 which is a redo of the same money--no money change."

The Speaker: "Representative Goltz, we had on the desk, prior to the placing of your amendment, an amendment which did a portion of what Representative Shinpoch is requesting. It is the one dealing with the teachers' tenure--the separate amendment. Because by mistake your amendment was placed first, we were going to allow this to be placed afterwards. But since the matter has been brought before the House, I would think probably the easiest way to handle this matter is if you would withdraw your amendment at this time. We will place the other amendment and then your amendment, since it strikes the whole matter and would also cover the same problem. But it would be a way of segregating these separate issues, if the House so desires."

Mr. Goltz: "Mr. Speaker, ladies and gentlemen of the House: It may be that I do not understand the amendatory process, but I would prefer to have the motion stand, and have the two go together. It seems to me that the issues are joined, in that they are both relating to the same subject, and I think they both need time. I think they are related in the solution to the problem. They are related in the problem. And I hope we can keep them together in this motion."

The Speaker: "I think, Representative Goltz, what I am telling you is that you are going to go all or nothing, if we go on this method--that I will have to make the ruling that the other matters--since your amendment was placed first and it dealt with striking, that it would not be in place to place the other amendment."

Mr. Goltz: "No, Mr. Speaker, I do not want to go double or nothing. I think these do stand on their merits, but I think they are closely related. If the question is to be divided, then I would urge that we vote them both down. Am I being asked to withdraw my motion, or divide the question?"

The Speaker: "I am saying that the motion to divide--we did have on the desk an amendment that should have been placed before yours technically. But since yours was placed, and it is a striking motion, technically, if anyone raises the point of order, we would not be able to place the other amendment."

Mr. Goltz: "Thank you, Mr. Speaker. I apologize to the members for this delay. I would like to withdraw the motion and place it behind the consideration of the motion which is to follow."

The Speaker: "If there is no objection, Mr. Goltz' amendment will be withdrawn at this time."

Mr. Patterson moved adoption of the following amendments by Representatives Patterson, Goltz, Charnley and Van Dyk to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

On page 16, line 13 following "legislature" strike all material through "1973" on line 25

On page 17, line 24 following "burning))" strike all material through "1973" on page 18, line 4

On page 19, line 1 following "biennium" strike all material through "1973" on line 14

On page 19, line 30 following "agencies" strike all material through "1973" on page 20, line 10

On page 20, line 18 strike all of section 18 and renumber the remaining sections consecutively

On page 21, line 18 following "Appropriation" strike all language through "1973" on line 29

Mr. Patterson spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Julin, having had an opportunity to look over these several proposed provisos, could you relate to the body what you would foresee as some of the legal implications in the language that has been used?"

Mr. Julin: "Representative Patterson, I would prefer to respond by just directing to one aspect of it. I do not know exactly what the various contracts provide, but I know that fundamentally if a contract is in existence now, and it has a provision that it cannot be canceled or terminated or otherwise modified without a one-year notice, it is my opinion that by this legislation to change from one year to six months it would be a retroactive modification of a contract and as such, I believe, would be unconstitutional under the doctrine of the Dartmouth College case."

Mr. Patterson continued speaking in favor of adoption of the amendments.

#### POINT OF INQUIRY

Mr. Patterson yielded to question by Mr. Curtis.

Mr. Curtis: "Representative Patterson, I am just concerned about one of the amendments which we are considering. Unless the sheet of paper I have is incorrect, the fifth one down reads, 'On page 20, line 18

strike all of section 18.' Now not only do you strike the new language--the proviso that you have stricken in all the others, but it appears to me that you are striking all of Evergreen College, and all their appropriation in there. Now, Representative Kuehnle would probably buy that, but is that what you intend to do, or am I incorrect on that?"

Mr. Patterson: "I did not understand it that way, Representative Curtis. I understand that the only thing dealing with Evergreen is the proviso on the enrollment figures."

The Speaker: "Representative Curtis, I think the effect of your inquiry in looking into the matter, means that if you strike that section, that language you are worried about is already the law, so therefore, if you strike the entire section, amending the existing law, it would still revert back to the former law. Therefore it wouldn't be applied."

Mr. Shinpoch spoke against adoption of the amendment to the committee amendment.

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

Representatives Rabel, Kopet and Charnley spoke in favor of adoption of the amendment to the committee amendment, and Representatives Flanagan and Bagnariol spoke against its adoption.

Mr. Luders demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Patterson, Goltz, Charnley and Van Dyk to the committee amendment to Engrossed Substitute Senate Bill No. 2956, and the amendment to the amendment was lost by the following vote: Yeas, 49; nays, 49; not voting, 0.

Voting yea: Representatives Amen, Bauer, Blair, Bluechel, Brown, Charnley, Clemente, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Gaines, Gilleland, Goltz, Hansen, Hayner, Hendricks, Hoggins, Johnson, Julin, Kilbury, King, Kopet, Kraabel, Laughlin, Luders, Lysen, Matthews, Maxie, Moon, Morrison, Nelson, North F., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Smith, Sommers, Swayze, Valle, Van Dyk, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Eikenberry, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Hansey, Haussler, Hurley, Jastad, Jueling, Kalich, Kelley, Knowles, Kuehnle, Leckenby, Martinis, May, McCormick, Newhouse, North L., O'Brien, Parker, Perry, Randall, Savage, Schumaker, Shinpoch, Snythe, Thompson, Tilly, Warnke, Wilson, and Mr. Speaker.



## MOTION FOR RECONSIDERATION

Mr. Smythe, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Representative Patterson and others to the committee amendment to Engrossed Substitute Senate Bill No. 2956 was lost.

The motion was lost on a rising vote.

## MOTION

On motion of Mr. Thompson, Representative Rabel was excused from further proceedings under the Call of the House.

Mr. Kuehnle moved adoption of the following amendments by Representative Kuehnle to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

On page 20, section 18, line 21 following "General Fund Appropriation:" strike all material down to and including "\$10,584,693" and insert "For the maintenance of buildings and grounds.....((\$10,584,693)) \$225,000"

On page 21 strike all material on lines 8 through 14.

Mr. Kuehnle spoke in favor of adoption of the amendment to the amendment.

## RULING BY THE SPEAKER

The Speaker: "Representative Kuehnle, please do not impugn the motives of the members."

Mr. Kuehnle concluded his remarks in favor of the amendment, and Representatives Zimmerman, Goltz and Hendricks spoke against the amendment to the amendment.

The amendment by Mr. Kuehnle to the committee amendment to Engrossed Substitute Senate Bill No. 2956 was not adopted.

Mr. Julin moved adoption of the following amendment to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

On page 33, section 22, line 9 after "the" strike all material down to and including "and" on line 10

Mr. Julin spoke in favor of adoption of the amendment to the amendment.

## POINT OF ORDER

Mr. Douthwaite: "Mr. Speaker, I understood that we had an amendment by Representative Goltz which starts on page 15, which should precede this amendment by Representative Julin."

The Speaker: "In consideration of Representative Goltz, we are going back to his amendment, but it is not perfected at this time. He had a change he wanted to consider, so we are proceeding."

Representatives Bagnariol and O'Brien spoke against adoption of the amendment by Mr. Julin to the committee amendment, and Mr. Pardini spoke in favor of it.

Mr. Julin spoke again in favor of the amendment to the amendment.

The amendment by Mr. Julin to the committee amendment was not adopted.

Mr. Julin moved adoption of the following amendment by Representatives Julin and Pardini to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

On page 33, section 22, line 12 after "\$" strike "150,000" and insert "50,000"

Mr. Julin spoke in favor of the amendment to the amendment, and Mr. Bagnariol spoke against it.

The amendment by Representatives Julin and Pardini to the committee amendment was not adopted.

Mr. Kopet moved adoption of the following amendment to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

On page 33, section 22, line 12 after "Washington" and before "\$" insert ": PROVIDED FURTHER, That the superintendent of public instruction shall report on anticipated expenditures to the Legislative Budget Committee prior to committing any of these funds"

Mr. Kopet spoke in favor of the amendment to the amendment, and Mr. Shinpoch spoke against it.

Mr. Kopet spoke again in favor of the adoption of the amendment to the amendment.

The amendment by Mr. Kopet to the committee amendment to Engrossed Substitute Senate Bill No. 2956 was lost on a rising vote.

Mr. Benitz moved adoption of the following amendment by Representatives Benitz and Ehlers to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

On page 37, line 15 insert a new section to read as follows:

"Sec. 24. Section 17, chapter 114, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

Reappro-	From the	From the
riations	Community College	nity College
	Capital Projects	Capital Improve-
	Account	ment Account

(1) Removal of Edison  
South and con-

struction of replacement facilities designated as Phase II of Seattle Central Campus	8,001,601	
(2) Construct voca- tional and academic facili- ties 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 voca- tional facili- ties 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"

Renumber the remaining sections consecutively

Representatives Benitz and Ehlers spoke in favor of adoption of the amendment to the amendment, and Representative Shinpoch spoke against it.

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

Mr. Beck spoke in favor of the amendment to the amendment, and Mr. Bagnariol spoke against it.

Mr. Benitz spoke again in favor of the amendment to the amendment, and Mr. Shinpoch spoke again in opposition to it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Benitz and Ehlers to the committee amendment to Engrossed Substitute Senate Bill No. 2956, and the amendment to the amendment was adopted by the following vote: Yeas, 52; nays, 45; not voting, 1.

Voting yea: Representatives Adams, Beck, Benitz, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis,

Ehlers, Eikenberry, Erickson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Hayner, Hendricks, Hoggins, Jastad, Juelling, Kelley, King, Kopet, Kraabel, Kuehne, Leckenby, Matthews, McCormick, Moon, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Savage, Schumaker, Smythe, Swayze, Thompson, Tilly, Van Dyk, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Bender, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ellis, Eng, Flanagan, Fortson, Hansen, Haussler, Hurley, Johnson, Julin, Kalich, Kilbury, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, North F., North L., O'Brien, Parker, Perry, Randall, Shinpoch, Smith, Sommers, Valle, Warnke, Wilson, and Mr. Speaker.

Not voting: Representative Rabel.

Mr. Benitz moved adoption of the following amendment by Representatives Benitz and Ehlers to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

On page 37, line 15 insert a new section to read as follows:

"Sec. 24. Section 17, chapter 114, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION	Reappro- priations	From the Community College Capital Projects Acc't.	From the Commu- nity College Capital Improve- ment 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			

(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"

Renumber the remaining sections consecutively

Representatives Benitz, King and Ehlers spoke in favor of adoption of the amendment to the amendment, and Representatives Shinpoch, Polk and Charette spoke against it.

Mr. Benitz spoke again in favor of the amendment to the amendment.

The second amendment by Representatives Benitz and Ehlers to the committee amendment was not adopted.

Mr. Parker moved adoption of the following amendment to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

On page 37, line 24, following section 25 add a new section as follows:

"NEW SECTION, Sec. 26. FOR THE SECRETARY OF STATE:  
General Fund Appropriation: To additionally fund in an amount in excess of present appropriation for initiative and referendum, voters' and candidates' pamphlet, and related legal and other advertising purposes: PROVIDED, That on all informational material, including the official voters pamphlet, distributed by order of the secretary of state, the signature or name of the secretary of state shall not be larger than the smallest print on that material.....\$ 10.00  
General Fund Appropriation: To additionally fund an amount in excess of present appropriation.....\$ 10.00"  
Renumber the remaining sections consecutively

Mr. Parker spoke in favor of the amendment to the amendment, and Mr. Pullen spoke against it.

#### POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "I just want to know--do you mean on the outside, or do you mean inside the pamphlet? Are you talking about on the outside alone?"

Mr. Parker: "I would say on any document."

Representatives Zimmerman, Kopet and Amen spoke against adoption of the amendment to the amendment, and Representative Parker spoke again in favor of its adoption.

The amendment by Mr. Parker to the committee amendment to Engrossed Substitute Senate Bill No. 2956 was not adopted.

Mr. Goltz moved adoption of the following amendment by Representatives Goltz and Van Dyk:

Beginning on page 15, line 19 strike all of section 14

Beginning on page 17, line 4 following "UNIVERSITY" strike everything down to and including "1973" on page 18, line 4

Beginning on page 18, line 18, strike the balance of section 15

Strike sections 16, 17, 18 and 19 and renumber the remaining sections consecutively

Mr. Goltz spoke in favor of the amendment to the amendment.

#### DIVISION OF QUESTION

On motion of Mr. Swayze, the question was divided.

The Speaker stated the question before the House to be the amendment to the amendment striking section 14.

Mr. Moon spoke in favor of the amendment to the amendment, and Mr. Shinpoch spoke against it.

#### POINT OF ORDER

Mr. Van Dyk: "By dividing the question, aren't we essentially voting on the same subject that we had lost earlier in the debate?"

The Speaker: "We are checking on this as we go, section by section, and those areas affected, and the Speaker will rule which area has already been decided by the House. But on this particular one, there is a change on line 30. So therefore it is new matter. We are striking different matter so it encompasses this particular matter. So we will face each issue as we come to it."

#### PARLIAMENTARY INQUIRY

Mr. Shinpoch: "Mr. Speaker, what is the change on line 30 of page 17?"

The Speaker: "Page 16, there is a change that was not considered in the other amendment on lines 29 and 30. (A very heavy change.)"

Mr. Douthwaite spoke in favor of the amendment to the amendment, and Mr. Bagnariol spoke against it.

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

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Patterson.

Mr. Patterson: "Is it your interpretation and understanding in the language used in the proviso, that it is mandatory that any future contracts that you would have with members of your faculty would include this six months termination statement? I am talking about the actual contract."

Mr. Bagnariol: "The way the language reads, '...regents shall adopt retrenchment procedures which assure that only six months advance notice shall be required for nonrenewal of faculty contracts...' So I would imagine that in the actual contract, that the regents would have the language which would allow them to give only six months notice. I don't read the language that says they would necessarily be required."

Mr. Patterson: "Then the language would appear in the contract. The reason I am bringing up the question is that if this language appears, I think you are putting the institutions in a position where it is going to be very difficult for them to have any top members of faculty, research faculty, what have you, that will sign a contract, come from another university--this will be the only state in the United States that will have this kind of language that basically says that you are accepting and signing a contract that we can terminate on six months notice. At the present time we really don't have any language that speaks to this question."

Mr. Bagnariol: "If you don't have that language now, I would anticipate that you might not need the language then. I can't envision that top professional people are that fearful of their abilities that they would not come to an institution if they were fearful that the tenure would be only six months instead of twelve. As Representative Shinpoch points out, it is actually in effect ten months from the time the notification would be given. To be honest, I have not seen a contract between the university and a college professor."

Mr. Patterson: "I am just trying to get into the record what the legislative intent is here, and as I read it, it shall require that this language would be in the contract."

## PARLIAMENTARY INQUIRY

Mr. Julin: "I believe at this time, on the present motion before us, we are voting on whether or not the language dealing with the six months notice of cancellation or renewal is applicable at the University of Washington. I believe I understood the Speaker to rule that on the basis of the prior vote, which failed 49 to 49, that the same issue as to the other institutions of higher learning will be out of order. So that a vote in favor of this particular restriction at this time will mean that the end

product is that it applies only to the University of Washington, and we will not have an opportunity to vote on the same issue for all the other institutions. Am I correct in that?"

The Speaker: "Representative Julin, in checking through the various sections, it is my understanding now--unless I stand corrected later on--that there are changes in each one, so that each one will be considered. Upon this division being asked, this became a parliamentary problem, so we did check it. But unless our checking is inaccurate, we find that there is a difference in each one of the sections. So therefore, each one of the sections can be held that there have already been attempts made to strike the same. Therefore, we will be considering each one."

Mr. Julin: "Is the Speaker then ruling that the same motion will be considered available for consideration as part of Representative Goltz' motion, now divided, as to each one of these institutions of higher learning?"

The Speaker: "We have taken the meaning of the action of the House that they moved to divide. We are dividing all issues that we feel are separable."

Mr. Julin: "I understand, Mr. Speaker. I am simply concerned about whether or not at some point down the line here a point of order would be sustained that this particular amendment or subject matter would not be available as to each one of the institutions involved."

The Speaker: "Not to the Speaker's knowledge, in looking over the same. But I am not going to prejudge it, other than that I scanned them briefly with the Chief Clerk, and we think each one will be in order from our reading at the present time."

#### PARLIAMENTARY INQUIRY

Mr. Newhouse: "Mr. Speaker, I am somewhat concerned in the discussion on this amendment that some people have said this is a six months notice of cancellation of contract, when the actual wording is six months notice of nonrenewal, and that is a very significant difference. A six months notice of cancellation would be very severe, but six months notice of nonrenewal is a very reasonable approach."

#### MOTION TO DIVIDE

Mr. Shinpoch moved that the question be further divided, beginning on page 16, line 26.

#### RULING BY THE SPEAKER

The Speaker: "The Speaker is ruling that the motion for a division by Representative Shinpoch is out of order because you can only divide the main question. And the main question would not be the section now since it is

merely a subdivision of the main question. Therefore the motion for division is out of order."

## ROLL CALL

The Clerk called the roll on the adoption of the amendment to strike section 14 by Representatives Goltz and Van Dyk to the committee amendment to Engrossed Substitute Senate Bill No. 2956, and the amendment was lost by the following vote: Yeas, 48; nays, 49; not voting, 1.

Voting yea: Representatives Amen, Bauer, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Clemente, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Gaines, Gallagher, Gilleland, Goltz, Hayner, Hoggins, Johnson, Kilbury, King, Kopet, Kraabel, Laughlin, Luders, Lysen, Matthews, Maxie, Moon, Morrison, Newhouse, North F., Pardini, Paris, Patterson, Pullen, Smith, Smythe, Sommers, Swayze, Valle, Van Dyk, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Eikenberry, Flanagan, Fortson, Freeman, Garrett, Gaspard, Hansen, Hansey, Haussler, Hendricks, Hurley, Jastad, Juelling, Julin, Kalich, Kelley, Knowles, Kuehne, Leckenby, Martinis, May, McCormick, Nelson, North L., O'Brien, Parker, Perry, Polk, Randall, Savage, Schumaker, Shinpoch, Thompson, Tilly, Warnke, Wilson, and Mr. Speaker.

Not voting: Representative Rabel.

The Speaker stated the question before the House to be the amendment by Representatives Goltz and Van Dyk to the committee amendment to Engrossed Substitute Senate Bill No. 2956, beginning on page 17, section 15, line 4, striking everything through page 18, line 4.

The amendment was carried on a rising vote.

## MOTION FOR RECONSIDERATION

Mr. Perry, having voted on the prevailing side on the amendment beginning on page 15, line 19, striking section 14, moved that the House do now reconsider the vote by which the amendment failed.

Mr. Perry spoke in favor of the motion, and Mr. Kelley spoke against it.

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

Mr. Pardini spoke in favor of the motion by Mr. Perry.

## PARLIAMENTARY INQUIRY

Mr. Julin: "In light of Representative Kelley's candid acknowledgment that there was some misunderstanding in his vote, I would like to have the Speaker state what the present posture of this bill is, insofar as the tenure provisions relating to the University of Washington and

Washington State. My understanding is that at the present time, without the vote to reconsider, we have voted that the six months requirement will apply to the University of Washington and a different set of ground rules would apply to Washington State. And as a loyal Husky, I hope we can get back in the same ballgame, but I want to be sure we are clear when we vote this time."

## REPLY BY THE SPEAKER

The Speaker: "It is the Speaker's understanding that the present status of the bill is that the House refused to strike the new tenure provision for the University of Washington, thereby reducing it to six months. The House by its action on its vote on the Washington State University struck the new tenure provision reducing to six months--so they presently enjoy the past tenure position that they have enjoyed for years. So therefore, if you vote 'yea' on the motion to reconsider, to place the matter before you, you will then be in a position to reconsider whether or not you want the University of Washington to revert back to its former tenure position."

## PARLIAMENTARY INQUIRY

Mr. Kelley: "Mr. Speaker, I can see that we can create a real problem here if we continue with the procedure that we are going to follow here, because it is conceivable that we would kind of bootstrap the University of Washington into a position which would be the same as what we wrongfully (I believe) did for WSU. Is there a parliamentary manner whereby we could, by some means, put off the vote of Representative Perry, so that I may advance what I believe to be a more timely motion to reconsider the vote on WSU, which is in this instance, I believe, the mistaken vote before us and the source of the confusion."

## REPLY BY THE SPEAKER

The Speaker: "Representative Kelley, if the motion to reconsider, placed by Representative Perry is defeated, we would then proceed with other matters and it would be in order for somebody to place a motion to reconsider the vote by which the Washington State University amendment carried. So this is where it stands at the present time. If you vote 'yea,' then you are voting for a chance to restore the former tenure positions because then you would revote. If you vote 'no,' your former action by which you want different tenure positions established at the University of Washington would remain. Then if you wish to inflict these same provisions upon Washington State University, you would then reconsider your past vote (on which some members have expressed they were confused in voting). So that is the present status."

## PARLIAMENTARY INQUIRY

Mr. Luders: "If you will indulge a rather confused member. A few minutes ago you made a ruling relative to



dividing the issue. At that time I believe what you said was you would take each university and college up in toto. And that means we do not have the option to vote for tenure, or against tenure, and then for the budget appropriation or against the budget appropriation, or the cuts in this case. Is this correct, Mr. Speaker?"

The Speaker: "Yes, because of the impossibility of dividing a sub-question."

Mr. Luders: "All right, so in each case then, if we vote for the new tenure posture, we are also then voting for the budget cuts. Is that right?"

The Speaker: "Yes, I would imagine that was the purpose of presenting the amendment in its original form."

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Perry to reconsider the vote by which section 14 was deleted from the committee amendment to Engrossed Substitute Senate Bill No. 2956, and the motion was carried by the following vote: Yeas, 60; nays, 37; not voting, 1.

Voting yea: Representatives Amen, Bauer, Beck, Berentson, Blair, Bluechel, Brown, Charnley, Chatalas, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Gaines, Gallagher, Gilleland, Goltz, Hansen, Hayner, Hendricks, Hoggins, Jastad, Johnson, Julin, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., Pardini, Paris, Patterson, Perry, Polk, Pullen, Randall, Savage, Smith, Smythe, Sommers, Swayze, Valle, Van Dyk, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bausch, Bender, Benitz, Ceccarelli, Charette, Clemente, Cunningham, Eikenberry, Flanagan, Fortson, Freeman, Garrett, Gaspard, Hansey, Haussler, Hurley, Juelling, Kalich, Kelley, Kuehnle, Leckenby, Martinis, May, North L., O'Brien, Parker, Schumaker, Shinpoch, Thompson, Tilly, Warnke, Wilson, and Mr. Speaker.

Not voting: Representative Rabel.

#### RECONSIDERATION

The Speaker stated the question before the House to be the amendment by Representatives Goltz and Van Dyk to strike section 14 of the committee amendment to Engrossed Substitute Senate Bill No. 2956.

#### PARLIAMENTARY INQUIRY

Mr. Kelley: "I am sorry, and I beg the indulgence of the body, but Mr. Speaker, is it appropriate at this time to bring a previous motion to reconsider within parliamentary procedure?"

## REPLY BY THE SPEAKER

The Speaker: "Mr. Kelley, it would be the ruling of the Chair that we are just in our normal course of business, and if we could take Mr. Perry's former motion to reconsider, we can take anybody else's motion to reconsider at this time. Mr. Kelley, your motion to reconsider would be in order after the assembly acted on the motion that was placed before us at the present time. If you had moved prior to my stating that the amendment was before us, I imagine you could have made the motion."

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

Mr. Savage: "Mr. Speaker, we would have to assume this way that we would have to vote for this now to make it compatible with the previous amendment we adopted. If we were going to take that position there would be no use to reconsider the Kelley motion after this vote is taken if this carries. The only way you would need to consider the Kelley vote would be if this lost and you wanted to make the other one uniform with this."

## POINT OF ORDER

Mr. Polk: "I was just noticing on the order of business card that has been placed on our desks among the privileged motions is the motion to reconsider. And if that is so, it would seem to me that Representative Kelley's motion has priority over the business at hand."

## RULING BY THE SPEAKER

The Speaker: "Mr. Polk, your point is well taken. Since the motion to reconsider is a privileged motion, the next highest to the motion to adjourn, and the motion to adjourn can be placed at any time, I would have to reverse myself, and say that your motion was in order. Therefore it has been moved and seconded..."

## POINT OF ORDER

Mr. Moon: "Which vote do we vote on first if Representative Kelley's motion prevails?"

## RULING BY THE SPEAKER

The Speaker: "It would be the Speaker's ruling that then we would revert back to the normal procedure of how we handle amendments, and we would go to Mr. Perry's motion first, and then we would proceed on into the next order of business, which by this particular set of occurrences would be the amendment regarding Washington State University."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Charnley: "I would like you to make clear to me--when a motion such as Mr. Perry's has been made to reconsider, I feel--it is my question that we should

immediately then consider the vote which we have just agreed to do. I question the action in which another motion to reconsider can be taken. I think we are still on the first motion to reconsider. I think that includes the motion to reconsider, does it not?"

The Speaker: "Mr. Charnley, I made the same error that you are now expressing to me. The motion to reconsider is a privileged motion. We are voting merely on the matter of reconsideration of the vote. They are two separate propositions, and that is where I went astray the first time."

The Speaker stated the question before the House to be the motion by Mr. Kelley to reconsider the vote by which part of section 15 was stricken from the committee amendment.

Mr. Kelley spoke in favor of the motion.

MR. Goltz demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Kelley to reconsider the vote by which part of section 15 relating to WSU was stricken from the committee amendment to Engrossed Substitute Senate Bill No. 2956, and the motion was carried by the following vote: Yeas, 49; nays, 48; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Brown, Ceccarelli, Charette, Chatalas, Clemente, Cunningham, Eikenberry, Flanagan, Fortson, Freeman, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hurley, Jastad, Jueling, Kalich, Kelley, Knowles, Kraabel, Leckenby, Martinis, May, McCormick, Moon, North L., O'Brien, Parker, Polk, Pullen, Randall, Savage, Shipoch, Thompson, Tilly, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bauer, Benitz, Berentson, Blair, Bluechel, Charnley, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Gaines, Gallagher, Goltz, Hayner, Hendricks, Hoggins, Johnson, Julin, Kilbury, King, Kopet, Kuehnle, Laughlin, Luders, Lysen, Matthews, Maxie, Morrison, Nelson, Newhouse, North F., Pardini, Paris, Patterson, Perry, Schumaker, Smith, Smythe, Sommers, Swayze, Valle, Van Dyk, Williams, Zimmerman.

Not voting: Representative Rabel.

Mr. Kelley moved that the House do now consider the following amendment:

Beginning on page 17, line 4 following "UNIVERSITY" strike everything down to and including "1973" on line 4, page 18.

#### POINT OF ORDER

Mr. Pardini: "Mr. Speaker, prior to this time, you

have already stated the ruling from the Chair that said we gave Mr. Kelley a rank for his motion for reconsideration. The ruling from the Chair at that time, less than five minutes ago, was that his was a privileged motion--that once we took that business up, we would then proceed to consider it section by section in the normal manner, treating section 14 first and then section 15."

#### RULING BY THE SPEAKER

The Speaker: "That is true, and that is still the order of business if the House does not carry this motion. But if the House carries the motion, it can, by a majority vote, proceed to handle section 15 first."

#### MOTION

Mr. Savage moved that the two amendments be taken together and voted on at the same time.

#### RULING BY THE SPEAKER

The Speaker: "Representative Savage, since the House has already moved by affirmative action to divide the question, I think that matter has been settled, so therefore, we are in the process of handling each question as ordered by the House."

#### PARLIAMENTARY INQUIRY

Mr. Newhouse: "Mr. Speaker, my point of parliamentary inquiry goes back to Mr. Pardini's point of order. I suggest that by Rule 26, in which we must consider amendments section by section, it is different from setting bills in order on the calendar, when one may be set down by a majority vote. To contravene this rule would be a suspension of the rules and would require a two-thirds vote."

The Speaker: "Since we read the last line of the bill only, the entire bill is before us. We have as a matter of policy, gone first to committee amendments and then the others. So we handled this as a matter of policy, and I don't think it is a matter of rule. Therefore, I think the House through its majority rule can proceed to handle whatever portion of the bill they desire. If we had read it section by section, your point of order would have been well taken."

#### MOTION

Mr. Eikenberry moved that the rules be suspended and that the two motions concerning tenure at Washington State University and the University of Washington be considered together.

Representatives Eikenberry and Savage spoke in favor of the motion.

## PARLIAMENTARY INQUIRY

Mr. Goltz: "Is the Eikenberry motion subject to amendment? I would like to amend that the colleges go along with the universities and put all these motions together as we tried to in the original instance and treat them all alike."

## PARLIAMENTARY INQUIRY

Mr. Berentson: "Is it possible in combining the two motions that actually we would find ourselves in the position of reversing both, and be in the same position as we now find ourselves in that we did approve the amendment regarding Washington State, and the other failed. I think we would find that they are in a given position now and handling them together would evidently reverse that position, and I question whether we have accomplished anything."

## MOTION FOR RECONSIDERATION

Mr. Tilly, having voted on the prevailing side, moved that the House do now reconsider the vote by which the motion by Mr. Swayze to divide the amendment by Representatives Goltz and Van Dyk was carried.

## POINT OF ORDER

Mr. Eikenberry: "There is a motion on the floor, Mr. Speaker, and I don't believe Mr. Tilly's motion would take precedence."

## RULING BY THE SPEAKER

The Speaker: "The motion to reconsider is a privileged motion and of very high rank, whereas the other motions were of low rank. So the Speaker will rule that it is in order."

## POINT OF ORDER

Mr. King: "Mr. Speaker, the motion he wishes to reconsider is a procedural motion, which passed, and as a result of that procedural motion the floor has taken action. It would seem to me it would be too late to reconsider the procedural motion without going back through and working step by step, all the way back, on all the things we have done."

## RULING BY THE SPEAKER

The Speaker: "At the present time, we are at the same stage of proceeding. We have both reconsidered, and the section is now before us in the same original position, Representative King. We have had a lot of action, but no movement."

Mr. King: "Mr. Speaker, the motions that are being reconsidered are in different directions. One of them passed. One of them failed."

The Speaker: "But they had the same effect that we now have before us--whether or not we are going to strike section 14, or whether or not we are going to strike part of section 15. So I would say the motion is in order, and the question before the House is whether or not you wish to reconsider the action of the House when they moved to divide the question."

Mr. Williams demanded an electric roll call on all the motions to follow relating to Mr. Goltz' original amendments.

With the consent of the House, it was so ordered.

The Speaker stated the question before the House to be the motion by Mr. Tilly to reconsider the motion by Mr. Swayze to divide the question.

Mr. Swayze spoke against the motion.

#### PARLIAMENTARY INQUIRY

Mr. Bagnariol: "I would have supported what Representative Swayze was attempting to do with his motion, but I don't believe he accomplished that. I think what he accomplished was dividing the question of voting on each university separately, but as we get down to Central, Eastern and Western State Colleges, I don't believe we are in a position to divide the money from the tenure. If we were in that position, I would be happy to go along with it. But as I understand it, what your motion accomplished, was that we divided the question of these amendments by Representative Goltz, but we did not divide the subject matter. If you are right, Tom, we've gone through a lot of confusion for nothing."

The Speaker: "Were you asking a question of the Speaker?"

Mr. Bagnariol: "I am asking a question of the Speaker as to whether or not the motion by Representative Swayze divided the subject matter of tenure and money, or did it divide the amendment by Representative Goltz that we are voting on each university separately, but we will end up when we get down to the universities that have dollar impacts, being in a position of having to vote on the money and the tenure issue both at one time."

The Speaker: "Representative Bagnariol, in light of the Speaker's ruling that you cannot subdivide (in effect subdivide after you have divided) that is correct."

Mr. Goltz spoke in favor of the motion by Mr. Tilly.

## PARLIAMENTARY INQUIRY

Mr. Polk: "Mr. Speaker, if we bunch these together again, in what position do we have the University of Washington and WSU? Are we back where we started in the original text of the bill, or do we have one of them with one tenured position and one with the other?"

The Speaker: "Representative Polk, at the present time we are right back where we started, when we first started considering Representative Goltz' measure, except that the House has presently moved to divide. If the House reconsiders that motion, then the House has returned to the original position at which Mr. Goltz' amendment was placed before the body."

Mr. Polk: "Mr. Speaker, then do we have the bill back in the original text it was presented to us at that point?"

The Speaker: "Yes, with Representative Goltz' amendment pending."

## PARLIAMENTARY INQUIRY

Mr. Hansey: "Considering the fact then that there would be no division on it, would it then be possible to divide the provisos concerning the tenure separate from the dollars at that point, since there would no longer be a subdivision situation?"

The Speaker: "Representative Hansey, we did attempt to have that matter presented to us earlier, when the floor amendment by Representatives Patterson, Goltz, Charnley and Van Dyk was presented to us. At that time the House refused to remove the tenure provision from the entire amendment. Now we presently have before us an amendment to strike, which we normally do not place before us until after we have tried to perfect the section. Now since it is an amendment to an amendment, there is no amendatory process that I am aware of at the present time in which that situation could be clearly set forth."

Mr. Hansey: "We could no longer divide in that manner then?"

The Speaker: "No, we can't."

## PARLIAMENTARY INQUIRY

Mr. Amen: "Some of us are still not clear on going back to the original bill because one of the sections passed and one of them failed, and we have not taken any action on either one. How can we go back to the original measure that way?"

The Speaker: "Representative Amen, at the present time the House took three actions on the Goltz amendment. The first action was to divide. The second action was to defeat the amendment as regards the University of

Washington. The third action was to approve the one regarding WSU. Then we turned around and did away with the second and third actions, so now we are back to the first action the House took as to whether or not we shall reconsider the motion to divide."

Mr. Amen: "Mr. Speaker, when did we do away with number two and three?"

The Speaker: "When we were moving to reconsider. One was a motion by Representative Perry. One was a motion by Representative Kelley. Both those motions to reconsider carried."

Mr. Flanagan spoke in favor of the motion to reconsider.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Tilly to reconsider the motion by Mr. Swayze (to divide the amendment by Representatives Goltz and Van Dyk to the committee amendment to Engrossed Substitute Senate Bill No. 2956), and the motion to reconsider was carried by the following vote: Yeas, 84; nays, 13; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Savage, Shinoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Charnley, Conner, Douthwaite, Hoggins, Kopet, Kuehnle, Matthews, Moon, Perry, Schumaker, Swayze, Zimmerman.

Not voting: Representative Rabel.

The Speaker stated the question before the House to be the motion by Mr. Swayze to divide the amendment by Representatives Goltz and Van Dyk to the committee amendment to Engrossed Substitute Senate Bill No. 2956.

Mr. Swayze spoke in favor of the motion, and Mr. Bagnariol spoke against it.

#### POINT OF INQUIRY

Mr. Swayze yielded to question by Mr. Polk.

Mr. Polk: "Representative Swayze, from your remarks, I interpreted that to mean that you were attempting to divide this question with the first three items in one question, and the last item in a second



question. Is that correct?"

Mr. Swayze: "No, that is not correct. I meant to divide it into four different parts of the motion. The amendment is four different parts, dealing with four different distinct sections and portions of the bill. That is really what I meant to divide. Now Representative Bagnariol's concern, and your concern, is what happens when we vote on the first three sections--understanding what we are voting on, on the tenure issue, and the first three portions all deal with the same subject. If we vote the same way, then everything is consistent for the state institutions. Then your concern is what happens when we get to the fourth part of the amendment, which is the motion to strike four sections, because those four sections deal both with tenure and with money. Now my point is that we have already ruled (in the defeat of the prior amendment on a tie vote) the issue as to tenure in those four sections. And that all that is left for us to decide then is the issue of whether we want to reduce the appropriations for those four state colleges. Or, in the alternative, we could have then further moved to divide that fourth portion of the amendment. The only problem is the Speaker has already ruled on a prior point of order that you can't divide after once dividing. Now I don't know whether that is correct, but that ruling came along later. But the original intent was to get a division of the tenure and money."

#### PARLIAMENTARY INQUIRY

Mr. Polk: "Mr. Speaker, Representative Swayze pointed out that on a prior vote, we had rejected a portion of sections 16, 17, 18 and 19, and is saying that part of those sections has already been decided. That part is being referred to as the tenure portion of those four sections, and therefore, a vote on this final action, in Representative Goltz' motion, would only affect the money part. Now is that correct?"

The Speaker: "When we attempted to divide the question, which might have been the intent to separate the tenure from the money, because of the way the amendments were drawn, when you divided the question you still had to consider them both at the same time because they were not in separate sections--that particular question. They were within the same section. We were dealing with an amendment-to-the-amendment type of proposition. So the practical effect of Mr. Bagnariol's statement that although we desired to separate them, we did not do so, is true, in the Speaker's opinion, I would have to say."

Mr. Savage spoke against the motion to divide.

#### ROLL CALL

The Clerk called the roll on the reconsideration of the motion by Mr. Swayze to divide the amendment by Representatives Goltz and Van Dyk to the committee amendment to Engrossed Substitute Senate Bill No. 2956, and

the motion by Mr. Swayze was lost by the following vote: Yeas, 24; nays, 73; not voting, 1.

Voting yea: Representatives Barden, Benitz, Blair, Bluechel, Cunningham, Curtis, Douthwaite, Eikenberry, Freeman, Gaines, Hansey, Hoggins, Julin, Kopet, Kuehnle, Matthews, Morrison, Nelson, Newhouse, Pardini, Polk, Schumaker, Swayze, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representative Rabel.

The Speaker stated the question before the House to be the following amendment by Representatives Goltz and Van Dyk to the committee amendment to Engrossed Substitute Senate Bill No. 2956:

Beginning on page 15, line 19 strike all of section 14.

Beginning on page 17, section 15, line 4, following "UNIVERSITY" strike everything down to and including "1973" on line 4, page 18

Beginning on page 18, line 18 strike the balance of section 15.

Strike sections 16, 17, 18 and 19 and renumber the remaining sections consecutively

The Speaker called on Mr. O'Brien to preside.

Mr. Shinpoch: "Mr. Speaker, I find myself in the peculiar position of not knowing exactly what we are voting on. Would the Chair explain--are we voting on the totality of all portions of Mr. Goltz' amendment?"

The Speaker (Mr. O'Brien presiding): "In reply to your inquiry, we are now voting on the complete amendment offered by Representative Goltz."

Mr. Shinpoch spoke in opposition to the amendment, and Mr. Moon spoke in favor of it.

The Speaker resumed the Chair.

#### PARLIAMENTARY INQUIRY

Mr. Cunningham: "Thank you, Mr. Speaker. I would like to ask a question if I may in the hopes that we can get this resolved. The amendment I have on my desk, that I think we are talking about, is an amendment to the Substitute Senate Bill, and I really think it should be an amendment to the House committee amendment to the engrossed bill. I would just like to clarify that."

The Speaker: "That is correct, Representative Cunningham. It was improperly presented."

Mr. Bagnariol spoke against adoption of the amendment to the amendment, and Representatives Kopet and Goltz spoke in favor of it.

Mr. Newhouse demanded the previous question.

#### PERSONAL PRIVILEGE

Mr. Shinpoch: "Representative Kopet indicated that I made a misstatement. I would like to indicate to the body that I have checked that with the staff that compiled the figures. The local funds--what we are considering here--are net figures as they reported to the committee yesterday, and these do take into consideration the loss of local funds."

The demand for the previous question was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Goltz and Van Dyk to the committee amendment to Engrossed Substitute Senate Bill No. 2956, and the amendment to the amendment was lost by the following vote: Yeas, 48; nays, 49; not voting, 1.

Voting yea: Representatives Amen, Bauer, Berentson, Blair, Bluechel, Brown, Charnley, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Gaines, Gallagher, Goltz, Hansey, Hoggins, Johnson, Kilbury, King, Kopet, Kraabel, Kuehne, Laughlin, Luders, Lysen, Maxie, Moon, Morrison, Nelson, Newhouse, Paris, Patterson, Perry, Pullen, Savage, Schumaker, Smith, Smythe, Sommers, Swayze, Valle, Van Dyk, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Benitz, Ceccarelli, Charette, Chatalas, Clemente, Cunningham, Eikenberry, Flanagan, Fortson, Freeman, Garrett, Gaspard, Gilleland, Hansen, Haussler, Hayner, Hendricks, Hurley, Jastad, Juelling, Julin, Kalich, Kelley, Knowles, Leckenby, Martinis, Matthews, May, McCormick, North F., North L., O'Brien, Pardini, Parker, Polk, Randall, Shinpoch, Thompson, Tilly, Warnke, Wilson, and Mr. Speaker.

Not voting: Representative Rabel.

#### STATEMENT FOR THE JOURNAL

Regarding the reductions in funding for three state colleges in ESSB 2956 there are two points I wish to enter in the House Journal. First, in calculating the local fund revenue losses due to reduced 1974-75 enrollments at the colleges, the House Appropriations Committee calculations recognized only that portion of local fund revenues in the instruction program. In reality, the colleges lose the entire amount of student operating fees for each student who does not enroll. These entire losses in local revenues have an impact on the colleges, above and beyond that portion recognized in the committee's calculations.

The second point is that these three colleges, Western Washington State College, Central Washington State College, and Eastern Washington State College, all have revenue losses in 1973-74 which are not recognized at all in the House Appropriation Committee's calculations. In short, it is my judgment that the reduction in state funding in ESSB 2956 should have recognized these two additional areas of local fund losses to the three colleges before reducing their state funding so severely.

JERRY C. KOPET, 6th District.

The Speaker stated the question before the House to be the committee amendment as amended to Engrossed Substitute Senate Bill No. 2956, and the amendment as amended was adopted.

Mr. Shinpoch moved adoption of the committee amendment to the title.

On motion of Mr. Benitz, the following amendment to the title amendment was adopted:

On page 38, line 5 after "(uncodified);" and before "amending" insert the following title amendment: "amending section 17, chapter 114, Laws of 1973 1st ex. sess. (uncodified);"

The amendment to the title, as amended, was adopted.

On motion of Mr. Charette, the second reading was considered the third, and Engrossed Substitute Senate Bill No. 2956 as amended by the House was placed on final passage.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

Mr. Bagnariol spoke in favor of final passage of Engrossed Substitute Senate Bill No. 2956 as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2956 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 13; not voting, 1.

Voting Yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Morrison, Newhouse, North P., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Douthwaite, Eng, Goltz, Hansen, Hoggins, King, Maxie, Moon, Nelson, Perry, Van Dyk, Williams.

Not voting: Representative Rabel.

Engrossed Substitute Senate Bill No. 2956 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### PARLIAMENTARY INQUIRY

Mr. Curtis: "Mr. Speaker, have we dispensed with the Call of the House?"

The Speaker: "No, we are still under the Call of the House, Representative Curtis."

#### MOTION

On motion of Mr. Curtis, the House dispensed with further business under the Call of the House.

#### MESSAGE FROM THE SENATE

September 11, 1973

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 58,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Wednesday, September 12, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wed., September 12, 1973.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

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

## MESSAGES FROM THE SENATE

September 11, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2112,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2463,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2603,  
 SENATE BILL NO. 2965,  
 ENGROSSED SENATE BILL NO. 2967,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

September 12, 1973

Mr. Speaker:

The Senate has passed:

REENGROSSED SENATE BILL NO. 2004,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1131, by Representatives Jastad, Adams and Parker:

AN ACT Relating to public assistance medical care; amending section 4, chapter 203, Laws of 1969 ex. sess. as amended by section 2, chapter 87, Laws of 1971 ex. sess. and RCW 74.32.130; and creating a new chapter in Title 74 RCW.

To Committee on Social and Health Services.

HOUSE BILL NO. 1132, by Representative Kilbury:

AN ACT Relating to insurance; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.17 RCW.

To Committee on Financial Institutions.

HOUSE BILL NO. 1133, by Committee on Social and Health Services (Endorsed by Representatives Adams, Parker, May, Jastad, Fortson, Ellis, Johnson, Wojahn, Savage, Matthews, Freeman, Rabel, Eng, Hendricks and Kelley):

AN ACT Relating to health care services; prohibiting discrimination against licensed health professionals employed by or associated with health maintenance organizations or health care service contractors; and amending section 4, chapter 115, Laws of 1969 and RCW 48.44.220.

To Committee on Rules.

HOUSE BILL NO. 1134, by Representatives Kelley, Juelling, Erickson and Ehlers:

AN ACT Relating to special assessment deferral; amending section 35.50.050, chapter 7, Laws of 1965 as amended by section 5, chapter 137, Laws of 1972 ex. sess. and RCW 35.50.050; adding a new chapter to Title 36 RCW; and declaring an emergency.

To Committee on Local Government.

HOUSE BILL NO. 1135, by Representative Kilbury:

AN ACT Relating to fire arms; and 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.

To Committee on Judiciary.

HOUSE BILL NO. 1136, by Representatives Parker and Haussler:

AN ACT Relating to regional governmental conferences; and adding a new section to chapter 84, Laws of 1965 ex. sess. and to chapter 36.64 RCW.

To Committee on Local Government.

HOUSE BILL NO. 1137, by Representatives Fortson, Hansey, Luders and Smith:

AN ACT Relating to marine pollution; and adding new

sections to chapter 62, Laws of 1970 ex. sess. and to chapter 43.21A RCW.

To Committee on Ecology.

HOUSE BILL NO. 1138, by Representatives Bagnariol, Kopet, Shinpoch and Swayze:

AN ACT Relating to public assistance; amending section 74.12.010, chapter 26, Laws of 1959 as last amended by section 13, chapter 173, Laws of 1969 ex. sess., and RCW 74.12.010.

To Committee on Social and Health Services.

HOUSE BILL NO. 1139, by Representatives Kelley, Randall and Gaspard:

AN ACT Relating to financial responsibility; amending section 9, chapter 169, Laws of 1963 as amended by section 1, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.090; amending section 26, chapter 169, Laws of 1963 as amended by section 2, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.260; amending section 39, chapter 169, Laws of 1963 as amended by section 3, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.390; amending section 49, chapter 169, Laws of 1963 as amended by section 4, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.490; amending section 55, chapter 169, Laws of 1963 as amended by section 5, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.550; and providing an effective date.

To Committee on Financial Institutions.

HOUSE BILL NO. 1140, by Representatives Wojahn and Kelley:

AN ACT Relating to crimes and punishments; adding a new chapter to Title 9 RCW; declaring crimes and prescribing penalties; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1141, by Representatives Kelley, Perry, Randall, Kalich, Valle, Goltz, Kilbury, Gaspard, Van Dyk, Charnley and Matthews:

AN ACT Relating to motor vehicles; adding a new section to chapter 12, Laws of 1961 and to chapter 46.16 RCW; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.68 RCW.

To Committee on Transportation and Utilities.



HOUSE BILL NO. 1142, by Representatives Kelley, Moon and Knowles:

AN ACT Relating to claims against counties; and amending section 36.45.030, chapter 4, Laws of 1963 as amended by section 1, chapter 36, Laws of 1973 and RCW 36.45.030.

To Committee on Local Government.

HOUSE BILL NO. 1143, by Representative Kelley:

AN ACT Relating to motor vehicles; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.16 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1144, by Representatives Ceccarelli, Pardini and Perry:

AN ACT Relating to health care; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; and declaring an emergency.

To Committee on Financial Institutions.

HOUSE BILL NO. 1145, by Representatives Smith, King, Lysen, Parker and North (Frances):

AN ACT Relating to initiative and referendum petition signatures; amending section 29.79.120, chapter 9, Laws of 1965 and RCW 29.79.120; and declaring an emergency.

To Committee on Constitution and Elections.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2603, by Committee on Ways and Means (Originally sponsored by Senators Lewis [Harry], Metcalf, Atwood, Peterson [Lowell] and Wanamaker - by Executive request):

AN ACT Relating to state government; setting forth an economic impact act for the state of Washington; adding a new chapter to Title 43 RCW; and declaring an emergency.

To Committee on Ways and Means.

ENGROSSED 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; and declaring an emergency.

MOTION

On motion of Mr. Charette, Engrossed Senate Bill No. 2112 was placed on today's second reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2463, by Committee on Labor (Originally sponsored 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; amending section 7, chapter 174, Laws of 1913 and RCW 49.12.050; 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 as amended by section 82, chapter 154, Laws of 1973 1st ex. sess. and RCW 43.22.260; amending section 43.22.270, chapter 8, Laws of 1965 as amended by section 83, chapter 154, Laws of 1973 1st ex. sess. and RCW 43.22.270; amending section 43.22.280, chapter 8, Laws of 1965 as amended by section 84, chapter 154, Laws of 1973 1st ex. sess. 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 6, chapter 174, Laws of 1913 and RCW 49.12.040; repealing section 8, chapter 174, Laws of 1913 and RCW 49.12.060; 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; declaring an emergency; and prescribing penalties.

MOTION

On motion of Mr. Charette, Engrossed Substitute Senate Bill No. 2463 was placed on today's second reading calendar.

SENATE BILL NO. 2965, by Senators Walgren, Peterson (Lowell) and Wanamaker:

AN ACT Relating to highways; making supplemental appropriations for the Washington toll bridge authority; and declaring an emergency.

To Committee on Transportation and Utilities.

ENGROSSED SENATE BILL NO. 2967, by Senators Walgren, Bottiger and Guess:

AN ACT Relating to electric power; creating a new chapter in Title 43 RCW; providing penalties; and declaring an emergency.

#### MOTION

On motion of Mr. Charette, Engrossed Senate Bill No. 2967 was placed on today's second reading calendar.

#### MOTION

On motion of Mr. Thompson, ENGROSSED HOUSE BILL NO. 14 was placed at the top of today's second reading calendar for immediate consideration.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 14, by Representative Bluechel:

Providing for the practice of acupuncture under the supervision of a licensed physician.

#### MOTION

On motion of Mr. May, Substitute House Bill No. 14 was substituted for Engrossed House Bill No. 14, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 14 was read the second time.

On motion of Mr. Conner, the second reading was considered the third, and Substitute House Bill No. 14 was placed on final passage.

Representatives May, Bluechel, Savage and Valle spoke in favor of passage of the bill, and Representative Eng spoke against it.

#### POINT OF INQUIRY

Mr. Bluechel yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Bluechel, would you tell us what is going on at Standring Memorial Hospital? I understand that a large number of acupuncture operations

have already been conducted there, and are continuing to go on. Would you explain? It seem to me on one hand we are saying it is illegal now, and on the other hand we are saying it is being conducted on a daily basis in rather large numbers."

Mr. Bluechel: "Standring Memorial Hospital is the only hospital at the present time that is practicing it on a relatively medium or large scale. As I understand it, this is an osteopathic hospital. They have a special permit from the Department of Licenses so that two acupuncturists may operate under the direct supervision of the physicians operating in Standring Hospital, and the permit was just reissued for another year--I believe it was in July or August."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 14, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North P., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Eng, Goltz.

Not voting: Representatives Rabel, Shinpoch, Smith.

Substitute House Bill No. 14, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1121, by Representatives Bagnariol, Morrison, Thompson, Fortson, Beck, Ceccarelli and Douthwaite (by Washington State Teachers' Retirement System request):

Making certain changes in the teachers' retirement system.

The bill was read the second time.

On motion of Mr. Cunningham, the following amendment by Representatives Cunningham and Kopet was adopted:

On page 3, section 2, line 26 after "of" and before

"service" insert "such"

Mr. Cunningham moved adoption of the following amendment by Representatives Cunningham and Kopet:

On page 3, section 2, line 26 after "service" strike ", whether or not elected or appointed service,"

Mr. Cunningham spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Cunningham yielded to question by Mrs. Hurley.

Mrs. Hurley: "Could you explain that just a little bit further? Some of us are affected by this bill, and we would like to know what you consider to be superfluous language, and what the effect will be. I think probably you are able to explain it a little bit more fully."

Mr. Cunningham: "Thank you, Representative Hurley, I'll try. When we ended this amendment the first time, we left this off. Mr. Cameron's office came back and in talking with Representative Kopet and me felt that it was just that--absolutely superfluous. If you want to leave it in there, fine. If you don't--we think it cleans it up. We think it gives a little more logic to the sentence, and I think even grammatically, it helps. That's the best I can do, Margaret, I'm sorry."

The amendment was adopted.

Mr. Morrison moved adoption of the following amendment:

On page 4, section 2, line 3 after "exceed" insert "a maximum of sixty percent of"

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

POINT OF INQUIRY

Mr. Morrison yielded to question by Mrs. Johnson.

Mrs. Johnson: "Representative Morrison, I knew yesterday that you were working on an amendment to propose in this very area. I think probably I would ask my question more for clarification than for a dissertation. Your amendment here, where you are going to insert a maximum of sixty percent, would apply (and, of course, you know I am a teacher-legislator, so I think I could ask this question being a typical example). This sixty percent limit would apply to my teaching credits, my compensation for my years in service, and it would apply to the years that I have been a teacher-legislator differently. In other words, the two percent formula for teachers' retirement would apply to my years of teaching service. The three percent would apply to my years as a teacher-legislator, and there would be a cap on each of these separately. Am I correct?"

Mr. Morrison: "Yes, that is correct."

Mrs. Johnson: "In other words, I am sure that you have worked through my earnings and my years of experience. I understood yesterday you were working on that, so you would have an idea of the accuracy of this kind of proposal. I, too, have worked through my years' earnings and my years of experience to date--those that probably have not served as long as a teacher may possibly receive from this legislature, then, some additional compensation for being a teacher-legislator. What about someone such as myself? Would there be additional compensation in my retirement because I am a teacher-legislator with this cap? That is my question."

Mr. Morrison: "Yes, there would additional compensation, recognizing the fact that your pension base would be an accumulative of both your legislative salary and the amount you actually receive as a teacher. I have learned in the last couple of days working on this that all of you who are serving in the legislature as teachers in fact do receive considerably less than you would if you were continuing straight through the year as teachers. So I think it is only fair that we add on the legislative amount in determining the base for your pension income. The only place that the sixty percent maximum, which is the question of the amendment before us, would apply is if you have served twenty years in the legislature as a combined legislator-teacher. Then at three percent per year, twenty years, you have served this sixty percent maximum figure."

Mrs. Johnson: "Did you also figure out the compensation for a legislator serving without any other public pension, and the additional amount of money that a teacher-legislator receives? I think I figured that out, and that for the years of service that I have been in the House of Representatives, if I had not been a teacher, my retirement would be \$108, and under the formula which you propose here, my additional compensation on less earnings (if we might put it that way) would be about \$41.50. Did you figure out that angle at all, Representative Morrison? I think what I am really saying is that I don't think it is the legislative intent not to at least recognize the fact that teacher-legislators have served in the legislature, as you said, with less earnings, and not receive compensation because of that factor."

Mr. Morrison: "I can't relate to the specific figures you mentioned, Representative Johnson; however, in every case (I think we took virtually every teacher-member of the House of Representatives) and at this time we found that depending upon the amount of salary (the salary level at which they were teaching before they entered the legislature) that they were, in fact, ahead. Some of you were just barely ahead of where you would have been if you had not entered the legislature and served under this combined category of teacher-legislator. So I can't relate to the figures you have mentioned. I think Representative Hoggins can attest to the fact that his pension benefits could perhaps come out \$50 to \$100 per year ahead of where

he would be if he had just continued to serve as a teacher and not as a legislator."

POINT OF INQUIRY

Mr. Morrison yielded to question by Mr. Barden.

Mr. Barden: "Representative Morrison, it appears to me, and I hope that you can clarify this for me, that if your amendment were adopted, and we had two teachers who had taught for 35 years, one being a legislator and a teacher, and one not, that the nonlegislator-teacher could retire at 70 percent, and the legislator-teacher would be capped at 60 percent. Is that true?"

Mr. Morrison: "No, Representative Barden, because the same 60 percent limit exists within the teachers' retirement system itself. And perhaps this point is important and I want to make it to all of you, that the 60 percent limit--we have not just reached out and pulled it out of the air. I think when we merge all pension systems in the state--which I think is the long-range goal of this body, as you have expressed in several moves that particularly Representative Bagnariol and I have made--that we have said 60 percent is the maximum retirement figure, based on your two highest consecutive years of salary, and that should be enough. What we are doing, I think, is just preventing any sort of a future rip-off as we contemplate both teaching salaries and legislative salaries going up--as we try to keep this trimmed down in the future."

POINT OF INQUIRY

Mr. Morrison yielded to question by Mr. Luders.

Mr. Luders: "This is primarily, Representative Morrison, for clarification purposes because there is a lot of concern in the state of Washington about pensions and about rip-offs and that sort of thing. If these amendments by Representative Kopet and Representative Cunningham are adopted, and if the section then reads as amended, is there any rip-off for teacher-legislators built into this bill?"

Mr. Morrison: "Well, we have no definition of 'rip-off' within the act. I suppose the part that is under question is the fact that, yes, for teacher-legislators, and even persons under the PERS system, (I think I know of only one and that would be Senator Knoblauch who works for Pierce County--he is a member of the PERS system and is a county employee, and there is a combination of his salary with his legislative salary to combine for the base that his pension would be calculated on)--the same thing is true as far as teacher-legislators are concerned. However, when we go back and take into consideration the fact that teachers who are serving in the legislature lose their teachers' income, that to add it back in their legislative income is only fair--and I find as I pointed out to several of you, that there is only a very slight increase in pension amount for you over the amount you would receive if, in fact, you had chosen not to serve in the

legislature. So the rip-off is really not there. In fact, if you wanted to say, 'Why not treat them separately? Let's have a teachers' retirement system and if I can teach and serve in the legislature at the same time, they should be totally separate'--then you are receiving a significantly reduced amount--significantly reduced under the proposal that is before us. So I have to say, in all fairness, that this represents a moderate way of saying you should not be penalized for serving in the legislature, but it could not be termed by anyone as being a 'rip-off'."

#### POINT OF INQUIRY

Mr. Morrison yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Morrison, the comparisons we have been talking about allude to the present level of legislative salary--\$3,600 plus the teachers' salary. And I recognize that most teachers suffer a financial loss because they do go off the payroll. However, in the unlikely event that Initiative 282 were to fail, and legislative salaries were to be increased substantially, and then combined with teachers' salaries, there would be a significant difference. But my question goes beyond that, in that any time we grant pension benefits, we grant a vesting which we cannot change at a future date. Do we run a risk there that even without Initiative 282, if the next session, or somewhere along the line, substantial adjustment would be made, then the combination of both salaries would really provide for a very, very decided advantage for the teacher-legislator in that we lock them in at this point in time."

Mr. Morrison: "Representative Pardini, if your question had been posed a couple of years ago, it might have expressed the concern that perhaps we should have measured at that time. Actually, the three percent formula is in effect now, and this cannot be taken away. However, the part of the formula that is important is the amendment that is before us right now as far as I am concerned, and that is the sixty percent limit which says that if these salaries go up, including legislators' salaries so the combination of the two does become a fairly good base upon which to apply a pension, that there will be a limit then which will be meaningful."

Mr. Pardini: "But doesn't the sixty percent limit only apply to maximum credit? Sixty percent of what?"

Mr. Morrison: "O.K. The formula is, years of service times three percent, applied to the two highest consecutive years of salary. So it is a combination of legislative salary and teachers' salary--those two combined. I am just saying that it should never be more than sixty percent. The only way you can get there is the teacher-legislators who serve in these halls for twenty years or more. So the sixty percent, I think, is an effective maximum and will not be achieved except for those persons who do serve here for many, many years. Understand that legislators, state elected officials, do not have this



cap--that the three percent can continue to multiply for as many years as they are here, with no lid."

The amendment by Mr. Morrison to House Bill No. 1121 was adopted.

Mr. Brown moved adoption of the following amendment:  
On page 7, section 5, line 16 strike all of section 5

Mr. Brown spoke in favor of adoption of the amendment, and Mr. Bagnariol spoke against it.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mrs. Hurley.

Mrs. Hurley: "It is just a technical question, and I have often wondered this about retirement. When a teacher retires, does she retire under the current law, or is there some stipulation that would say that a teacher who has paid retirement in, say, since House Bill No. 419 passed last spring until this bill passes, would all those teachers have a right to come back for the 90 days, even though they retire after this bill passes? Do you understand what I mean? Well, maybe I can put it simpler: Do they retire under the bill that exists when they retire?"

Mr. Bagnariol: "Yes, you retire under the bill--whatever is in effect. You have a vested right in the retirement system at the time you actually retire."

Mrs. Hurley: "Now, Jack Cameron said to me yesterday that no benefits could be taken away that a teacher did have. A teacher at present does have the right to retire with only a 90-day provision, and this bill would take that privilege away, wouldn't it?"

Mr. Bagnariol: "I don't follow what you mean--that they retire with a 90-day provision."

Mrs. Hurley: "I'm sorry, they can come back in, with only 90 days service."

Mr. Bagnariol: "The interpretation I have had--the time of reentry would not necessarily be a vested right. The vesting under a pension system or the pension benefits actually paid (for example, the two percent formula, etc.) are vested rights that we cannot go back and take away--I think the legislature can change the reentry and those types of things in a pension plan."

Mrs. Hurley: "Mr. Cameron didn't mean this then. He just meant the monetary benefits."

Mr. Bagnariol: "Right."

Mr. Kopet spoke against adoption of the amendment by Mr. Brown.

The amendment was not adopted.

House Bill No. 1121 was ordered engrossed.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed House Bill No. 1121 was placed on final passage.

Representatives Bagnariol, Morrison, Kuehnle and Pardini spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Kuehnle, as a result of your previous remarks and the fact that you are a member of the Public Pension Commission, I would like to ask what your analysis of this bill was, and what your recommendation was."

Mr. Kuehnle: "There has been no recommendation forthcoming from the Washington State Public Pension Commission on this bill. The form of the bill has only been presented, or in front of the Public Pension Commission for a matter of about thirty days, and there has been only one Public Pension Commission meeting during that period of time. We were in the process of studying the bill--in the process of analyzing the fiscal impact, but had not reached the point where a recommendation had been forthcoming from the Pension Commission."

#### POINT OF INQUIRY

Mr. Morrison yielded to question by Mr. Brown.

Mr. Brown: "Representative Morrison, as between the two groups of teachers, (1) teachers who are currently employed, teaching this school year, who have never previously been in a retired status, and (2) teachers who are currently retired and drawing retirement benefits--does the provision of section 5 of this bill, relating to the 90 days or two years, relate equally to these two groups, or differently from one to the other?"

Mr. Morrison: "Representative Brown, I would indicate that I feel that it doesn't relate to the group presently on the job at all, because they are already qualified for the brand new benefits, and they have no reason to reinstate themselves as members of the retirement system for the purpose of increased benefits. Those previously retired have officially left the system. If they choose to be reinstated as per your action--the amendment you proposed, after the effective date of this act--they would have to go back to work for two years, which is something we believe does nothing but create equity with other state pension systems. Yes, there is a difference, but for those persons on the job now, they have no reason to be reinstated because they already have this carrot on the end of the stick."

Mr. Brown: "If I could just ask for a further subdivision of that question then, of those who are currently teaching, let's say if someone who retires next year, and five years later, let's say in 1980 wants to come back and teach to requalify, what would apply to him then?"

Mr. Morrison: "I think what this legislature is saying is that there should not be as liberal a provision as 90 days to qualify for some new level of benefits--that in fact, by the passage of House Bill No. 419 last time, we provided for a cost of living escalator. And so we will be automatically, without legislative action, updating pension benefits for those persons you are concerned about every year. So I think there will not be the great hue and cry to requalify for new benefits in the future. Yes, we are creating a difference. At some point in time, we have to draw the line and say 90 days is not long enough. You must come back for two years to requalify for new benefits, and the major point, with the automatic escalator, is that I don't think people will be coming back to qualify because their benefits will be automatically adjusted to offset increases in the cost of living."

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1121, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Brown, Douthwaite, Julin.

Engrossed House Bill No. 1121, having received the constitutional 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. 2942, by Committee on Social and Health Services (Endorsed by Senators Jones, Greive, Woody, Van Hollebeke, Connor, Clarke, Woodall, Murray, Day and Herr):

Correcting the laws defining controlled substances.

MOTION

On motion of Mr. Thompson, further consideration of Senate Bill No. 2942 was deferred and the bill was ordered placed on today's second reading calendar after House Bill No. 569.

HOUSE BILL NO. 1126, by Committee on Ecology (Endorsed by Representatives Smith, Wilson, Beck, Valle, Charnley, Pullen, Nelson, McCormick, Kraabel, Bluechel, Zimmerman, North (Lois), Goltz and Bauer):

Implementing law authorizing outdoor fires.

The bill was read the second time.

On motion of Mr. Luders the following amendment was adopted:

On page 1, section 1, strike lines 18 through 27 and insert the following:

"(3) In any area which has been designated by the department of ecology or board of an activated authority as an area exceeding or threatening to exceed state or federal ambient air quality standards, or after July 1, 1976, state ambient air quality goals for particulates: PROVIDED, That the provisions of this subsection shall not become effective in relation to instructional fires permitted by RCW 70.94.650(2) until September 20, 1974."

House Bill No. 1126 was ordered engrossed.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed House Bill No. 1126 was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1126, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen,

Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 1126, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 569, by Representatives Wojahn, Valle, Blair, Nelson and Paris:

Providing laws for noise abatement and control.

#### MOTION

On motion of Mr. Luders, Substitute House Bill No. 569 was substituted for House Bill No. 569, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 569 was read the second time.

On motion of Mr. Luders, the following amendments by Representatives Luders and Zimmerman were adopted:

On page 5, after section 11 insert the following new section:

"NEW SECTION. Sec. 12. There is hereby appropriated from the general fund to the department of ecology the amount \$150,000 (one hundred fifty thousand dollars) to cover the cost of administering this 1973 act for the biennium ending June 30, 1975."

On page 1, line 2 of the title strike "and" and after "penalties" and before the period insert "; and providing an appropriation"

Substitute House Bill No. 569 was ordered engrossed.

#### MOTION

On motion of Mr. Luders, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 569 was placed on final passage.

Mr. Luders spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Luders, I am sure that the Department of Ecology will be concerned about noise problems that occur in industry. We recently passed the new WISHA Act which provides that Labor and Industries conduct inspection and enforcement in industry beyond what

has been done previously. My question is involved in the enforcement of this act in the area of industry. Will this require that the Department of Ecology set up regulations for industry and inspect those, or will they work through the Department of Labor and Industries, so that there is only one layer of government handling this problem within that particular area?"

Mr. Luders: "Representative, Leckenby, neither one will be the case because the scope of WISHA is specifically, by language, excluded in this bill, which means that as it applies to workmen performing their job in the factory, WISHA is the only governing level, and the State Department of Ecology would only be concerned as it affected people who were nonworkers in the area, but not on the job."

Mr. Leckenby: "Thank you. Can I ask one further question? On highways, and ferry docks, etc. we have noise problems. Will the state patrol have jurisdiction over enforcement of any regulations in these areas? Also I suppose, local police? Or will the Department of Ecology exercise control?"

Mr. Luders: "Basically, the Department of Ecology will exercise control, but in discussion in committee this was brought up and there will be cooperative efforts among the levels of government and the enforcement levels as the people become adequately trained."

Mrs. Wojahn spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Schumaker.

Mr. Schumaker: "Representative Luders, am I correct in my interpretation in section 8 of this bill that the Department of Ecology shall not be entitled to exercise its rulemaking power with regard to recreational shooting as well as police and military and that type?"

Mr. Luders: "You are absolutely correct."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 569, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen,

Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed Substitute House Bill No. 569, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2942, by Committee on Social and Health Services (Endorsed by Senators Jones, Greive, Woody, Van Hollebeke, Connor, Clarke, Woodall, Murray, Day and Herr):

Correcting the laws defining controlled substances.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal for third day, 2nd ex. sess., September 10, 1973.)

The bill was read the second time.

Mr. Parker moved adoption of the committee amendment adding a new section 2.

Representatives Parker and Matthews spoke in favor of the committee amendment, and the amendment was adopted.

On motion of Mr. Parker, the following amendment was adopted:

On page 5, after section 2 insert a new section as follows:

"NEW SECTION. Sec. 3. If any of the provisions of this amendatory act, or its application to any person or circumstance is held invalid, the remainder of the amendatory act, or the application of the provision to other persons or circumstances, or the act prior to its amendment is not affected."

Renumber the remaining section consecutively.

On motion of Mr. Parker, the committee amendment to the title was adopted.

On motion of Mr. Conner, the second reading was considered the third, and Senate Bill No. 2942 as amended by the House, was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2942 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson,

Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehrle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Conner.

Not voting: Representative Bluechel.

Senate Bill No. 2942 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1117, by Committee on Education (Endorsed by Representatives Bauer, Ellis, Bender, Brown, Hayner, Smythe, Johnson, Eng, Clemente, Tilly, Ehlers, Fortson and Lysen):

Making changes in the laws relating to employer-employee relations between school districts and their certificated personnel.

#### MOTION

On motion of Mr. Thompson, House Bill No. 1117 was rereferred to Committee on Rules.

SENATE BILL NO. 2915, by Senators Fleming, Ridder and Gardner:

Reducing student population qualification for recognition of certain districts in class AA counties as separate classification of districts for certain purposes.

The bill was read the second time.

On motion of Mr. Conner, the second reading was considered the third, and Senate Bill No. 2915 was placed on final passage.

Mr. Bauer spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2915, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson,



Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Benitz, Bluechel.

Senate Bill No. 2915, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED SENATE BILL NO. 2659, by Senators Atwood, Woody and Lewis (Harry):

Providing certain disability benefits for state patrol officers.

The bill was read the second time.

On motion of Mr. Conner, the second reading was considered the third, and Reengrossed Senate Bill No. 2659 was placed on final passage.

Representatives Charette and Newhouse spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2659, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Bluechel.

Reengrossed 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. 2944, by Committee on Transportation and Utilities (Endorsed by Senators Peterson [Lowell], Stortini, Jolly, Lewis [Bob], Walgren, Mattingly, Sellar, Wanamaker, Knoblauch, Whetzel, Guess, Bottiger and Washington):

Deleting the requirement that state patrol cars be equipped with red lights.

The bill was read the second time.

On motion of Mr. Conner, the second reading was considered the third, and Senate Bill No. 2944 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2944, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Bluechel, Kopet.

Senate Bill No. 2944, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2945, by Committee on Judiciary (Endorsed by Senators Atwood, Bottiger, Van Hollebeke, Dore, Frances, Woody, Clarke and Greive):

Making a technical correction in the law relating to the dissolution of marriage.

The bill was read the second time.

On motion of Mr. Conner, the second reading was considered the third, and Senate Bill No. 2945 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2945, and the bill passed the House by the following vote: Yeas, 82; nays, 15; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., North L., Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barden, Beck, Cunningham, Eikenberry, Gallagher, Hurley, Julin, Kopet, Martinis, McCormick, O'Brien, Pardini, Parker, Swayze, Zimmerman.

Not voting: Representative Bluechel.

Senate Bill No. 2945, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

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

On motion of Mr. Thompson, HOUSE BILL NO. 1136 was rereferred from the Committee on Local Government to the Committee on Ecology.

On motion of Mr. Charette, ENGROSSED SENATE BILL NO. 2967 was made a special order of business at 2:05 p.m. today.

On motion of Mr. Charette, the House was recessed until 2:00 p.m.

## AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Bluechel who was excused.

## MOTIONS

On motion of Mr. Luders, all bills passed by the House during the morning session were ordered transmitted immediately to the Senate.

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

## SPECIAL ORDER OF BUSINESS

The hour of 2:05 p.m. having arrived, the Speaker declared the question before the House to be the special order of business, ENGROSSED SENATE BILL NO. 2967 on second reading.

## SECOND READING

ENGROSSED SENATE BILL NO. 2967, by Senators Walgren, Bottiger and Guess:

Providing for the emergency curtailment and/or allocation of electricity.

The bill was read the second time.

On motion of Mr. Berentson, the following amendment was adopted:

On page 2, section 3, line 16 after "committee" and before "shall" insert "and one member of the minority party from each house"

On motion of Mr. Charnley, the following amendment by Representatives Charnley and Kraabel to Engrossed Senate Bill No. 2967 was adopted:

On page 2, section 4, line 30 after "usage" strike the semicolon and insert ". In developing its recommendations the committee should consider the economic, social and environmental impact of a curtailment and/or allocation program;"

The Clerk read the following amendment by Representative Perry:

On page 5, section 8, beginning on line 7 after "governor," strike "may be specifically exempted by the governor" and insert "shall be exempted"

## PARLIAMENTARY INQUIRY

Mr. Curtis: "Mr. Speaker, I believe I have an amendment to page 3, section 5, ahead of Representative Perry's amendment. It hasn't had a chance to be duplicated yet. May we come back and pick it up?"

The Speaker: "Yes, Representative Curtis."

Mr. Perry spoke in favor of adoption of the amendment to page 5, section 8, and Mr. Swayze spoke against it.

Mr. Perry spoke again in favor of adoption of the amendment, and the amendment was adopted.

Mr. Curtis moved adoption of the following amendment to Engrossed Senate Bill No. 2967:

On page 3, section 5, line 19 after "governor" and before "shall" insert "after consultation with the committee"

Mr. Curtis spoke in favor of adoption of the amendment, and Representatives Perry and Pardini spoke against it.

## POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Representative Perry, many of us were intrigued the other night hearing Senator Mardesich's possible suggestion that by voluntarily getting people to cut back, the job could be done without necessarily the Governor's need for any other real tough emergency actions. I don't see anything in here as far as his particular suggestion. Do you see it as a possibility, that under the authority that is granted here--this is a very broad-brush authority that you see in here--that that particular option in which he could suggest the cutting back to say 95 percent of present usage--back to say a year ago, or maybe even 95 percent of usage a year ago--that at that level they would be charged their regular rate of two cents a kilowatt hour, but that beyond that, beyond that level, people could be charged at the rate of \$2.00 per kilowatt hour. (Those were his figures.) Do you see that possibility here--that the privilege is there if we wanted to do that, so there could be the voluntary financial incentive, rather than having to take mandatory curtailment?"

Mr. Perry: "In response to your question, Representative Zimmerman, we have gone over Senator Mardesich's proposal in depth. This worked in Sweden. Several months ago, in Texas, they intended to do just this. I don't know if you were listening at the hearing the other night when Senator Guess got the information from Texas by getting the Mayor out of bed. But the Office of Price Control constituted a rate increase above 5.5 percent so they couldn't do it. To get a handle on it, this means

in our jargon, I think, that if we did this (and I have talked to some of the attorneys about it) first of all we have to do it in a separate act because the way we have to impose it would be as a tax."

Mr. Zimmerman: "Yes, I heard that conversation, but even the tax route--well, that would be a separate bill."

Mr. Perry: "I don't see how when we are talking about an emergency statute, and the other measure would be a penalty tax on use of energy above a certain amount, I don't see how you could mix the two statutes. You wouldn't have time to run around and penalize somebody."

Mr. Zimmerman: "You don't see that power in this bill?"

Mr. Perry: "No, this is straight emergency powers."

Mr. Zimmerman: "What is your reaction to that though, if there were a bill to come on that?"

Mr. Perry: "I think in the proviso here in this bill, that it has, with the adoption of Representative Berentson's amendment, four ex officio members, two from the Senate and two from the House. I think it is our purpose then to monitor this act, and to see whether what you are talking about can be done."

#### POINT OF ORDER

Mr. Charnley: "I was simply asking if the debate going on had anything to do with the amendment we are facing, but apparently the debate is finished."

The Speaker: "It was a little hard at times to follow."

Representatives Douthwaite, Leckenby and Gallagher spoke against adoption of the amendment, and Mr. Curtis spoke again in favor of adoption of his amendment.

The amendment by Mr. Curtis to Engrossed Senate Bill No. 2967 was not adopted.

Mr. Pullen moved adoption of the following amendments:

On page 5, section 9, line 18 after "time." insert "This act shall not be codified and shall not become a part of the revised code of Washington."

On page 5, section 11, line 22 strike section 11 and renumber the remaining sections consecutively

Mr. Pullen spoke in favor of adoption of the amendments, and Mr. Charette spoke against them.

Mr. Pullen spoke again in favor of the amendments.

The amendments by Mr. Pullen to Engrossed Senate Bill No. 2967 were not adopted.

## MOTION

On motion of Mr. Conner, the second reading was considered the third, and Engrossed Senate Bill No. 2967 as amended by the House, was placed on final passage.

Mr. Perry spoke in favor of passage of the bill, and Mr. Eikenberry spoke against it.

## POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Julin.

Mr. Julin: "Representative Perry, this bill purports to give extraordinary powers to the Governor dealing with electric generation power in the state of Washington. I am concerned, and probably notwithstanding your answer, I will vote against this bill, but the basis of the problem is, as I understand it, a lack of water supply. Now a very substantial portion of the electric power generation in the state of Washington is in federally-owned facilities, or comes from power generating facilities owned by the federal government. If we are going to curtail electric power use by the device of stopping the generators and the power generating facilities to hold back the water, what percentage of that total generating capacity that we have in the state of Washington do we really have state authority over--inasmuch as I don't believe that the Governor, notwithstanding these broad powers, would be able to mandate that the federal government generating facilities be closed?"

Mr. Perry: "Representative Julin, let me respond to you in this fashion: Eighty-five percent of all the power generated in this power pool is generated by falling water. Eighty percent of all of that power is used between the states of Oregon and Washington. The other states that are in this compact--the states of Idaho, Montana, part of Wyoming, northern California, as well as British Columbia don't use any more than twenty percent of the power. Everything you have said is true. We have no control over the federal government. We do have control over the users. Oregon has substantially the same kind of an enactment, only dealing with the Public Service Commission. In January, I understand that they intend to strengthen their bill and add the same type of a situation we have. As a practical effect, and because the lawyers have told us very specifically in answering the question you have, we have absolutely no authority over the federal government. The federal government will however respect the Governor's order not to serve a customer, or in effect, the customer not to take the electricity, when the police powers of the state are invoked. I don't know how I can answer you any differently than that, because what you have said is true--that we have a second way to get about in handling it. As well as using eighty percent of the power, about sixty-eight percent of the eighty percent is used in Washington."

Representative Blair spoke against passage of the bill, and Representatives Savage, Barden, Kraabel, Bagnariol, Pardini, Gallagher, Haussler and Garrett spoke in favor of its passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2967 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 16; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hendricks, Hoggins, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Benitz, Blair, Eikenberry, Hansey, Hayner, Hurley, Juelling, Julin, Kopet, Kuehnle, Lysen, Maxie, May, Polk, Schumaker, Swayze.

Not voting: Representative Bluechel.

Engrossed Senate Bill No. 2967 as amended by the House, having received the constitutional 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. 2112, by Senators Canfield, Keefe, Sandison and Woodall (by Joint Committee on Higher Education request):

Implementing state patrol retirement act.

The bill was read the second time.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed Senate Bill No. 2112 was placed on final passage.

Representatives Maxie, Benitz and Newhouse spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2112, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.



Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Bluechel.

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.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2463, by Committee on Labor (Originally sponsored by Senators Grant, Bailey, Fleming and Stender - by Department of Labor and Industries request):

Revising the law relating to industrial welfare.

The bill was read the second time.

Mr. Morrison moved adoption of the following amendments:

On page 4, line 19, section 6 after "49.46.020" insert "or the minimum wage as prescribed in 29 U.S.C. 206 (b), the minimum wage laws of the state of Washington and the United States respectively"

On page 9, line 9, section 15 after "49.46.020" insert "or the minimum wage as prescribed in 29 U.S.C. 206 (b), the minimum wage laws of the state of Washington and the United States respectively"

Mr. Morrison spoke in favor of the amendments.

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

Mr. Savage spoke in favor of adoption of the amendments.

#### POINT OF INQUIRY

Mr. Morrison yielded to question by Mr. Perry.

Mr. Perry: "If, in the event that we pass the state minimum wage law, and there is existing the federal minimum wage law, where we blanket these people in in this fashion, we in effect are keeping their wages at what? Twenty cents an hour lower?"

Mr. Morrison: "Mr. Perry, that is not the intent of my amendment. My amendment is just to recognize that there were industries not covered by the state minimum wage, that, in fact, are covered by the federal minimum wage. Now, if I can revise the wording here so it guarantees you that--there was no intention to use the federal minimum wage which is now going to be lower than the state wage as a depressant on wage levels. It is just to make sure that all industries have the same treatment whether covered by state or federal law."

#### ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Morrison to Engrossed Substitute Senate Bill No. 2463, and the amendments were lost by the following vote: Yeas, 38; nays, 58; not voting, 2.

Voting yea: Representatives Amen, Benitz, Berentson, Blair, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jueling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Paris, Patterson, Polk, Pullen, Rabel, Savage, Schumaker, Smythe, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Pardini, Parker, Perry, Randall, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bluechel, Swayze.

#### MOTION

Mr. Thompson moved that the House defer further consideration of Engrossed Substitute Senate Bill No. 2463 on second reading, and that the bill be held for tomorrow's second reading calendar.

With the consent of the House, Mr. Thompson withdrew the motion.

#### MOTION FOR RECONSIDERATION

Mr. Pardini, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendments by Representative Morrison to Engrossed Substitute Senate Bill No. 2463 were defeated.

Representatives Pardini and Thompson spoke in favor of the motion.

## RECONSIDERATION

The Speaker stated the question before the House to be the adoption of the amendments by Representative Morrison to Engrossed Substitute Senate Bill No. 2463.

## MOTION

On motion of Mr. Thompson, the House deferred further consideration of Engrossed Substitute Senate Bill No. 2463, and the bill was ordered placed on tomorrow's second reading calendar.

## MOTION

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

## MESSAGES FROM THE SENATE

September 12, 1973

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 138,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

September 12, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2410,

SENATE BILL NO. 2627,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

September 12, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 706,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED 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.

To Committee on Transportation and Utilities.

SENATE BILL NO. 2627, by Senator Day:

AN ACT Relating to irrigation districts; and adding a new section to chapter 87.03 RCW.

To Committee on Transportation and Utilities.

SENATE CONCURRENT RESOLUTION NO. 138, by Senators Metcalf, Walgren and Mattingly:

Ordering immediate reduction in lighting of state government buildings and areas.

To Committee on Transportation and Utilities.

MESSAGE FROM THE SENATE

September 12, 1973

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2387,

ENGROSSED SENATE BILL NO. 2946,

SENATE BILL NO. 2952,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

REENGROSSED 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; and repealing section 216, chapter 249, Laws of 1909 and RCW 9.59.050.

To Committee on State Government.

SUBSTITUTE SENATE BILL NO. 2387, by Committee on State Government (Originally sponsored by Senators Bailey, Lewis [Harry], Rasmussen, Peterson [Lowell], Newschwander, Walgren and Durkan):

AN ACT Relating to public employees; amending section 1, chapter 68, Laws of 1970 ex. sess. as last amended by section 11, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.195; amending section 29, chapter 274, Laws of 1947 and RCW 41.40.280; and declaring an emergency.

To Committee on Labor.

ENGROSSED SENATE BILL NO. 2946, by Committee on Parks and Recreation (Endorsed by Senators Knoblauch, Jones, Canfield, Bailey, Woody and Wanamaker):

AN ACT Relating to certain public lands; amending section 2, chapter 217, Laws of 1971 ex. sess. and RCW 79.01.470; and amending section 1, chapter 157, Laws of 1939 and RCW 79.08.080.

To Committee on Ecology.

SENATE BILL NO. 2952, by Senators Peterson (Lowell), Metcalf, Peterson (Ted), Mattingly and Marsh:

AN ACT Relating to food fish and shellfish; creating new sections; making an appropriation; and declaring an emergency.

To Committee on Natural Resources.

#### REPORTS OF STANDING COMMITTEES

September 11, 1973

HOUSE BILL NO. 979, Prime sponsor: Representative Bauer, an act relating to education, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 3 strike everything after the enacting clause and insert the following:

"Section 1. Section 28A.72.060, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060 are each amended to read as follows:

In the event that any matter being jointly considered by the employee organization and the board of directors of the school district is not settled by the means provided in this chapter, ((either party, twenty-four hours after serving written notice of their intended action to the other party, may request the assistance and advice of a committee composed of educators and school directors appointed by the state superintendent of public instruction; This committee shall make a written report with recommendations to both parties within twenty calendar days of receipt of the request for assistance. Any recommendations of the committee shall be advisory only and not binding upon the board of directors or the employee organization)) either party may submit any matter in dispute to the department of professional negotiations of the office of the superintendent of public instruction, hereby created, twenty-four hours after having served written notice informing the other party of its intent to make such a submission. After reviewing the matter, the department, the supervisor of which shall be a person with demonstrable skill in conciliation, mediation or fact finding, shall have ten days during which it may provide

preimpassé services to the district. If, after the ten day period, an impasse exists, the department may then provide the services of one or more persons who shall act as mediator(s), conciliator(s) or fact finder(s). The type of service to be provided shall be determined by the department, which shall promulgate, revise or rescind such rules and regulations after a public hearing as it may deem necessary or appropriate to the administration and implementation of this section.

Sec. 2. Section 28A.72.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.080 are each amended to read as follows:

Subject to and in accordance with rules and regulations of the department of professional negotiations of the office of the superintendent of public instruction under section 1 of this 1973 amendatory act, boards of directors of school districts shall adopt reasonable rules and regulations for the administration of employer-employee relations under this chapter.

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."

Beginning on line 1 of the title following "education" and before the period insert "; amending section 28A.72.060, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060; amending section 28A.72.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.080; and declaring an emergency"

Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hoggins, Johnson, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Hayner, Hendricks, Pullen, Smythe.

#### MOTION

On motion of Mr. Charette, House Bill No. 979 was placed on tomorrow's second reading calendar.

September 12, 1973

REENGROSSED SENATE BILL NO. 2136, Prime sponsor: Senator Wanamaker, amending and repealing and adding sections to RCW 47, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gallagher, Garrett, Gilleland, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Patterson.

## MOTION

On motion of Mr. Charette, Reengrossed Senate Bill No. 2136 was placed on tomorrow's second reading calendar.

September 12, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2264, Prime sponsor: Senator Guess, requiring certain suspension systems on motor vehicles, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Berentson, Ceccarelli, Clemente, Gallagher, Garrett, Gilleland, Kalich, Kraabel, Laughlin, Leckenby.

To Committee on Rules for second reading.

September 12, 1973

ENGROSSED SENATE BILL NO. 2551, Prime sponsor: Senator Wanamaker, prescribing purposes for which motor vehicle funds may be expended, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gallagher, Garrett, Gilleland, Kalich, Kraabel, Laughlin, Leckenby, Patterson.

To Committee on Rules for second reading.

September 12, 1973

ENGROSSED SENATE BILL NO. 2657, Prime sponsor: Senator Clarke, revising appeal procedures under the shoreline management act, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gallagher, Garrett, Gilleland, Kalich, Kraabel, Laughlin, Leckenby, Patterson.

## MOTION

On motion of Mr. Charette, Engrossed Senate Bill No. 2657 was placed on tomorrow's second reading calendar.

September 12, 1973

SENATE BILL NO. 2954, Prime sponsor: Senator Odegaard, authorizing the state highway commission to increase the amount of funds for the operation of the Puget Island ferry, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gallagher, Garrett, Gilleland, Kalich, Kraabel, Laughlin, Leckenby, Patterson.

## MOTION

On motion of Mr. Charette, Senate Bill No. 2954 was placed on tomorrow's second reading calendar.

## MOTION

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

## NOTICE OF AMENDMENT TO HOUSE RULES

Mr. Newhouse served notice that he would offer a proposed amendment to House Rule No. 60 on the next working day.

## RESOLUTIONS

HOUSE RESOLUTION NO. 73-148, by Representatives Hurley, May, Cunningham, Haussler, Bender, Moon, Polk, Garrett and Clemente:

WHEREAS, Without statutory authority the Governor has adopted an executive order authorizing a new state agency called the Office of Community Development, which new state agency, according to such order, includes within it the Planning and Community Affairs Agency and the Office of Economic Opportunity; and

WHEREAS, Without statutory authority the Governor has adopted an executive order requiring the new Office of Community Development to administer a child development program, which program includes and deals with family planning services; and

WHEREAS, The above executive orders establish a major reorganization of state government and major policies, and such reorganization and policies have never been reviewed by the Legislature;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives, through its State Government Committee, conduct a study on the nature and extent of the Governor's power to make major changes in government by the adoption of executive orders.

BE IT FURTHER RESOLVED, That the State Government Committee report the results of its study, including any proposed legislative or constitutional changes, to the



Special Session of the Legislature convening in January of 1974.

Mrs. Hurley moved adoption of the resolution.

Mr. Swayze moved adoption of the following amendments to House Resolution No. 73-148:

On page 1, line 1 after "WHEREAS," strike "Without statutory authority"

On page 1, line 6 after "WHEREAS," strike "Without statutory authority"

Representatives Swayze and Polk spoke in favor of the amendments, and Representative Hurley spoke against the amendments.

The amendments by Mr. Swayze were lost on a rising vote.

#### MOTION

Mr. Swayze moved that House Resolution No. 73-148 be referred to the Committee on Rules.

Mr. Swayze spoke in favor of the motion, and Mrs. Hurley spoke against it.

The motion by Mr. Swayze was carried, and House Resolution No. 73-148 was referred to the Committee on Rules.

#### MOTIONS

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

On motion of Mr. Thompson, the House considered immediately ENGROSSED SUBSTITUTE SENATE BILL NO. 2463 on second reading.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2463, by Committee on Labor (Originally sponsored by Senators Grant, Bailey, Fleming and Stender - by Department of Labor and Industries request):

Revising the law relating to industrial welfare.

The House resumed consideration of the bill on second reading.

With the consent of the House, Mr. Morrison withdrew his amendments to the bill. (For amendments, see previous action, today's Journal.)

On motion of Mr. Chatalas, the second reading was considered the third, and Engrossed Substitute Senate Bill No. 2463 was placed on final passage.

Representatives Savage and Morrison spoke in favor of passage of the bill, and Representatives Zimmerman and Amen spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2463, and the bill passed the House by the following vote: Yeas, 72; nays, 23; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Paris, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hayner, Jueling, Julin, Kopet, Kraabel, Kuehnle, Matthews, Nelson, Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Zimmerman.

Not voting: Representatives Berentson, Bluechel, Wilson.

Engrossed Substitute Senate Bill No. 2463, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

September 12, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2947,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

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

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2947, by Committee on Judiciary (Endorsed by Senators Atwood, Clarke, Bottiger, Van Hollebeke, Woodall, Francis, Dore and Twigg):

AN ACT Relating to mental illness; amending section 72.23.070, chapter 28, Laws of 1959 as last amended by section 4, chapter 142, Laws of 1973 1st ex. sess. and RCW 72.23.070; amending section 8, chapter 142, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_\_.\_\_\_\_); amending section 14, chapter 142, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_\_.\_\_\_\_); amending section 15, chapter 142, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_\_.\_\_\_\_); amending section 17, chapter 142, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_\_.\_\_\_\_); amending section 37, chapter 142, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_\_.\_\_\_\_); amending section 45, chapter 142, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_\_.\_\_\_\_); amending section 46, chapter 142, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_\_.\_\_\_\_); declaring an emergency; and making an effective date.

To Committee on Judiciary.

## MOTIONS

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

## POINT OF INQUIRY

Mr. Luders yielded to question by Mrs. Hurley.

Mrs. Hurley: "Was your meeting going to be on the bill that came over from the Parks and Recreation Committee? Because if it was, this is a bill that Parks and Recreation considered before, and I have made a request for it."

Mr. Luders: "No, Ma'am."

## MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Thursday, September 13, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thurs., September 13, 1973.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Bluechel who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Bart Huizenga of the Evergreen Christian Reformed Church of Olympia.

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

## MESSAGES FROM THE SENATE

September 12, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2046,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

September 12, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2300,

REENGROSSED SENATE BILL NO. 2366,

ENGROSSED SENATE BILL NO. 2408,

ENGROSSED SENATE BILL NO. 2488,

REENGROSSED SENATE BILL NO. 2516,

ENGROSSED SENATE BILL NO. 2572,

SECOND SUBSTITUTE SENATE BILL NO. 2583,

SENATE BILL NO. 2939,

SENATE BILL NO. 2941,

SENATE JOINT MEMORIAL NO. 106,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1146, by Representative Kilbury:

AN ACT Relating to higher education; amending section 3, chapter 196, Laws of 1971 ex. sess. as amended by section 2, chapter 196, Laws of 1973 1st ex. sess. and RCW 28B.52.030.

To Committee on Higher Education.

HOUSE BILL NO. 1147, by Representatives Hansey and Berentson:

AN ACT Relating to justices of the peace; and amending section 11, chapter 299, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1973 1st ex. sess. and RCW 3.34.020.

To Committee on Judiciary.

HOUSE BILL NO. 1148, by Representative Rabel:

AN ACT Relating to a moratorium on the siting of expansion of energy-intensive industries.

To Committee on Rules.

HOUSE BILL NO. 1149, by Representatives Eikenberry, Knowles, Swayze, Kelley, Gaspard and Hayner:

AN ACT Relating to coroners' warrants; and amending section 36.24.100, chapter 4, Laws of 1963 and RCW 36.24.100.

To Committee on Judiciary.

HOUSE BILL NO. 1150, by Representatives Swayze and Julin:

AN ACT Relating to liability of the state for criminal conduct of prisoners; amending section 17, chapter 122, Laws of 1973 1st ex. sess. and RCW (\_\_\_\_\_\_); creating new sections; declaring an emergency; and providing effective and expiration dates.

To Committee on Judiciary.

HOUSE BILL NO. 1151, by Representative Savage:

AN ACT Relating to the department of labor and industries; adding new sections to chapter 43.22 RCW; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1152, by Representative Ceccarelli:

AN ACT Relating to savings and loan associations.

To Committee on Rules.

HOUSE BILL NO. 1153, by Representative Bagnariol:

AN ACT Relating to insurance, including health care services contracts; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; adding new sections to chapter 48.44 RCW; repealing section 20, chapter 229, Laws of 1951 and RCW 48.20.192; repealing section 21, chapter 229, Laws of 1951 and RCW 48.20.202; and repealing section 22, chapter 229, Laws of 1951 and RCW 48.20.212.

To Committee on Financial Institutions.

HOUSE BILL NO. 1154, by Representative Ceccarelli:

AN ACT Relating to pensions and trusts.

To Committee on Rules.

HOUSE BILL NO. 1155, by Representative Pardini:

AN ACT Relating to small loan companies; credit unions and industrial loan companies.

To Committee on Rules.

HOUSE BILL NO. 1156, by Representative Ceccarelli:

AN ACT Relating to mutual savings banks.

To Committee on Rules.

HOUSE BILL NO. 1157, by Representative Ceccarelli:

AN ACT Relating to commercial banks.

To Committee on Rules.

HOUSE BILL NO. 1158, by Representatives Fortson, Bender, Clemente, Hansen and North (Frances):

AN ACT Relating to controlled substances; defining crimes; providing for mandatory sentencing; providing for submission of this act to a vote of the people; 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.

To Committee on Judiciary.

ENGROSSED 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.

To Committee on Judiciary.

ENGROSSED 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.

To Committee on Judiciary.

REENGROSSED SENATE BILL NO. 2366, by Senator Grant:

AN ACT Relating to legislative redistricting; and creating new sections.

To Committee on Constitution and Elections.

ENGROSSED 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.

To Committee on State Government.

ENGROSSED 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.

To Committee on Judiciary.

REENGROSSED 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.

To Committee on State Government.

ENGROSSED 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.

To Committee on Local Government.

SECOND SUBSTITUTE SENATE BILL NO. 2583, by Committee on Transportation and Utilities (Originally sponsored 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; amending section 2, chapter 137, Laws of 1965 as last amended by section 3, chapter 1, Laws of 1973 ex. sess. and RCW 46.44.0941; and adding a new section to chapter 46.44 RCW.

To Committee on Transportation and Utilities.

SENATE BILL NO. 2939, by Committee on Natural Resources (Endorsed by Senators Peterson [Lowell], Metcalf, Sandison, Peterson [Ted], Lewis [Harry] and Talley):

AN ACT Relating to food fish buyers and processors and fishermen; adding a new section to chapter 75.08 RCW; and adding new sections to chapter 75.28 RCW.

To Committee on Natural Resources.

SENATE BILL NO. 2941, by Committee on Social and Health Services (Endorsed by Senators Day, Van Hollebeke, Twigg, Clarke, Jones, Murray, Keefe, Woody and Herr):

AN ACT Relating to public accommodations; and adding a new section to chapter 219, Laws of 1971 and to chapter 70.92A RCW.

To Committee on Social and Health Services.

SENATE JOINT MEMORIAL NO. 106, by Senators Donohue and Walgren:

Providing for a second bridge across the Snake River funded with federal money.

To Committee on Transportation and Utilities.



September 12, 1973

ENGROSSED SENATE BILL NO. 2410, Prime sponsor: Senator Bottiger, allowing the operation of school buses and certain trucks under any road conditions, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Berentson, Ceccarelli, Clemente, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Nelson.

## MOTION

On motion of Mr. Charette, Engrossed Senate Bill No. 2410 was placed on today's second reading calendar.

September 12, 1973

SENATE BILL NO. 2642, Prime sponsor: Senator Durkan, providing for the acquisition of parking facilities by the state highway commission, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 7 after "purchase," and before "or condemnation" insert "lease,"

On page 1, section 1, line 13 after "section." insert "The state highway commission shall not expend any funds for acquisition or construction costs of any parking facility to be operated as a part of a transit system by a metropolitan municipal corporation unless such facility has been approved by the state highway commission in advance of its acquisition or construction."

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Amen, Bender, Berentson, Ceccarelli, Clemente, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Nelson.

To Committee on Rules for second reading.

September 13, 1973

SENATE BILL NO. 2952, Prime sponsor: Senator Peterson (Lowell), authorizing a study of fish food, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Anderson, Clemente, Gilleland, Hansen, Hansey, Haussler, Kalich, Schumaker.

## MOTION

On motion of Mr. Charette, Senate Bill No. 2952 was placed on today's second reading calendar.

September 12, 1973

SENATE BILL NO. 2965, Prime sponsor: Senator Walgren, making a supplemental appropriation to the Washington State Toll Bridge Authority, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Bender, Ceccarelli, Clemente, Gallagher, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby.

MOTION

On motion of Mr. Charette, Senate Bill No. 2965 was placed on today's second reading calendar.

September 13, 1973

HOUSE BILL NO. 1138, Prime sponsor: Representative Bagnariol, defining dependent child for purposes of aid to families with dependent children, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 27 after "office is" correct the spelling of "responsible"

On page 2, following section 1 add a new section 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 page 1, line 3 of the title after "RCW 74.12.010" insert "; and declaring an emergency"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Fortson, Freeman, Hendricks, Jastad, Kelley, May, Paris, Wojahn, Zimmerman.

MOTION

Mr. Charette moved that House Bill No. 1138 be placed on today's second reading calendar.

Mr. Charette spoke in favor of the motion, and Mr. Matthews spoke against it.

Mr. Charette spoke again in favor of the motion, and the motion was carried.

## MOTIONS

On motion of Mr. Thompson, SUBSTITUTE SENATE BILL NO. 2387 was rereferred from the Committee on Labor to the Committee on State Government.

On motion of Mr. Thompson, ENGROSSED SENATE BILL NO. 2946 was rereferred from the Committee on Ecology to the Committee on Parks and Recreation.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

## SECOND READING

HOUSE BILL NO. 979, by Representative Bauer:

Relating to education.

Committee on Education recommendation: Majority, do pass as amended. (For amendments see Journal for Wednesday, September 12, 1973, 2nd ex. sess.)

The bill was read the second time.

Mr. Bauer moved adoption of the committee amendment beginning on line 3.

Mr. Smythe moved adoption of the following amendment to the committee amendment by Representatives Smythe and Hayner:

On page 1, section 1, line 26 after "department" strike all material down to and including "section" on line 29 and insert "The state board of education shall promulgate, revise, or rescind rules and regulations to be administered by the superintendent of public instruction"

Representatives Smythe and Hayner spoke in favor of adoption of the amendment, and Representative Bauer spoke against it.

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

Mr. Hoggins spoke against adoption of the amendment to the committee amendment.

Mr. Bauer demanded the previous question and the demand was sustained.

## POINT OF ORDER

Mr. Pardini: "Point of order, Mr. Speaker. Does Mr. Smythe have the opportunity to close debate on his amendment after the question has been called for?"

The Speaker (Mr. O'Brien presiding): "Not at this stage of the proceedings. On final passage, the prime sponsor or the chairman of the committee may close debate."

## POINT OF INQUIRY

Mr. Julin: "Would Representative Smythe yield to a question?"

The Speaker (Mr. O'Brien presiding): "It is too late."

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Smythe and Hayner to the committee amendment to House Bill No. 979, and the amendment to the amendment was lost by the following vote: Yeas, 38; nays, 56; not voting, 4.

Voting yea: Representatives Amen, Benitz, Berentson, Blair, Brown, Cunningham, Curtis, Eikenberry, Erickson, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, North L., Paris, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Pardini, Perry, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bluechel, Morrison, Parker, Shinpoch.

Mrs. Hayner moved adoption of the following amendment by Representatives Hayner and Smythe:

On page 1, section 1, line 29 after "section" and before the period insert "; PROVIDED, That nothing in this act shall require either party to accept the department's recommendations"

Mrs. Hayner spoke in favor of the amendment to the amendment.

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

Mr. Smythe spoke in favor of adoption of the amendment to the amendment, and Mr. Bauer spoke against it.

## POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Bauer, in your opposition to this amendment, do you then infer from the language of the bill before us that there is mandatory power in the recommended negotiations and the recommended arbitration?"

Mr. Bauer: "I am sufficiently satisfied that there is no requirement that either side be bound by those recommendations."

Mr. Newhouse: "Then I fail to see any reason to oppose the amendment."

#### PARLIAMENTARY INQUIRY

Mr. Pardini: "Mr. Speaker, will the question and answer between Representative Newhouse and Representative Bauer be inserted in the Journal?"

The Speaker (Mr. O'Brien presiding): "All questions and answers are inserted in the Journal, Mr. Pardini."

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Hayner and Smythe to the committee amendment to House Bill No. 979, and the amendment to the amendment was lost by the following vote: Yeas, 39; nays, 57, not voting, 2.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Smith, Smythe, Swayze, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North P., O'Brien, Parker, Perry, Savage, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bluechel, Shinpoch.

Mr. Polk moved adoption of the following amendments to the committee amendment:

On page 1, section 1, line 21 after "finding," and before the word "shall" insert "and whose appointment by the superintendent shall be subject to the approval of the State Board of Education."

On page 1, section 1, line 27 after "regulations" and before "after" insert "subject to final approval by the state board of education"

Mr. Polk spoke in favor of the adoption of the amendments to the amendment.

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

Mr. Bauer spoke against adoption of the amendments.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendments by Mr. Polk to the committee amendment to House Bill No. 979, and the amendments were lost by the following vote: Yeas, 39; nays, 57; not voting, 2.

Voting yea: Representatives Amen, Benitz, Berentson, Blair, Cunningham, Curtis, Eikenberry, Erickson, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Smythe, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bluechel, Shinpoch.

The committee amendment to House Bill No. 979 was adopted.

On motion by Mr. Bauer, the committee amendment to the title was adopted.

House Bill No. 979 was ordered engrossed.

On motion by Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 979 was placed on final passage.

Representatives Bauer, Smythe and Charette spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Randall.

Mr. Randall: "Representative Bauer, in your opinion, do you feel that there is anything in this bill that would provide for or allow to be developed rules providing for mandatory binding arbitration between school boards and teachers?"

Mr. Bauer: "I am confident there is nothing in this bill that would require binding arbitration."

Representatives Randall and Swayze spoke in opposition to passage of the bill, and Representatives

Tilly and Hoggins spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 979, and the bill passed the House by the following vote: Yeas, 67; nays, 27; not voting, 4.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Nelson, North P., North L., O'Brien, Paris, Parker, Perry, Rabel, Smith, Smythe, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nays: Representatives Amen, Benitz, Berentson, Curtis, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, May, Morrison, Newhouse, Pardini, Patterson, Polk, Pullen, Randall, Schumaker, Swayze, Wilson.

Not voting: Representatives Bluechel, Moon, Savage, Shinpoch.

Engrossed House Bill No. 979, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, Engrossed House Bill No. 979 was ordered transmitted immediately to the Senate.

REENGROSSED 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 second time.

Mrs. Hurley moved adoption of the following amendment by Representatives Hurley and May:

On line 10, page 6 following section 4 insert a new section as follows:

"NEW SECTION. Sec. 5. There is added to chapter 47.05 RCW a new section to read as follows:

Any funds programmed prior to the effective date of this 1973 act for an interstate highway project and made available pursuant to section 4 of the 1973 act for other highway projects shall not be used for the construction of any limited access facility, as defined under RCW 47.52.010, in any class A county unless such limited access highway either is an interstate highway project or would not result in the displacement of the occupants of more than three hundred dwelling units."

Renumber the remaining sections consecutively.

Mrs. Hurley spoke in favor of the amendment, and Mr. Perry spoke against it.

POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Perry, the highway department has selected routes at some times in the past that haven't proven to be the best, like running a freeway through the middle of Seattle, and possibly the one through the middle of Spokane. I just wondered, is there not a viable alternative to the the route that is of concern to Representative Hurley. I am not familiar with what the alternatives might be."

Mr. Perry: "I couldn't answer that question. I think they would have to have had a preliminary study to determine whether there was or there wasn't. I can't answer the question of whether there was an alternative route."

Mr. Pardini spoke against adoption of the amendment, and Mr. May spoke in favor of it.

Mrs. Hurley spoke again in favor of the amendment.

The amendment by Representatives Hurley and May to Reengrossed Senate Bill No. 2136 was lost on a rising vote.

On motion by Mr. Conner, the second reading was considered the third, and Reengrossed Senate Bill No. 2136 was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2136, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.



Not voting: Representatives Bluechel, Kopet.

Reengrossed 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.

MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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AFTERNOON SESSION  
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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bluechel, Kopet and Kuehnle who were excused.

SECOND READING

ENGROSSED SENATE BILL NO. 2657, by Senators Clarke and Jones:

Revising appeal procedures under the shoreline management act.

The bill was read the second time.

On motion by Mr. Thompson, the second reading was considered the third, and Engrossed Senate Bill No. 2657 was placed on final passage.

Representatives Perry and Luders spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Julin, I know that you are competent to discuss this matter since you have studied this bill. I would like to ask you a question which has been put to me by a number of Seattle people. Will this bill allow the Highway Department to bypass the legal court appeal process, or to somehow weaken the shorelines hearing review procedures?"

Mr. Julin: "Well, Representative Douthwaite, in my opinion it will not. Our law generally provides that in a given case, on a case-by-case basis, if a litigant can persuade a superior court judge to enter an injunction on the merits of that particular case, then that judge can in

such instance enjoin. What we have in the shoreline management act, however, is basically a statutory injunction that stays all action regardless of the merits of the case, and in effect operates to take away from the judge on an individual case the opportunity to review the merits of the case. An so that is what this is doing as far as the I-90 bridge is concerned, meaning that if a judge wants to enjoin, and he can be persuaded to do so, then that case will stand on its merit just like any other one would."

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2657, and the bill passed the House by the following vote: Yeas, 89; nays, 2; not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Eng, Maxie.

Not voting: Representatives Bluechel, Kopet, Kuehnle, Moon, Rabel, Tilly, Williams.

Engrossed Senate Bill No. 2657, having received the constitutional 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. 2954, by Senators Odegaard and Talley:

Authorizing the state highway commission to increase the amount of funds for the operation of the Puget Island ferry.

The bill was read the second time.

Mr. Hansey moved adoption of the following amendment by Representatives Hansey, Berentson and Thompson:

On page 2, line 18 add a new section to read as follows:

"NEW SECTION. Sec. 2. The Legislative Transportation Committee, in cooperation with the State Highway Commission and the Boards of County Commissioners of counties operating ferry systems, shall conduct a study of the operations and financing of such systems so as to

determine at what level, if any, the State Highway Commission should provide financial assistance to these counties. A report containing the findings and recommendations shall be made to the next regular or special session of the legislature."

Renumber the remaining section consecutively.

Representatives Hansey and Thompson spoke in favor of adoption of the amendment, and the amendment was adopted.

On motion by Mr. Hansey, the following amendment to the title was adopted:

On line 2 of the title after "47.56.720;" insert "providing a study;"

On motion of Mr. Thompson, the second reading was considered the third, and Senate Bill No. 2954 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2954 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bluechel, Kopet, Kuehnle, Smythe.

Senate Bill No. 2954 as amended by the House, having received the constitutional 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. 2410, by Senators Bottiger, Henry and Sandison:

Allowing the operation of school buses and certain trucks under any road conditions.

The bill was read the second time.

On motion of Mr. Thompson, the second reading was considered the third, and Engrossed Senate Bill No. 2410 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2410, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Bluechel, Freeman, Julin, King, Kopet, Kuehnle.

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. 2952, by Senators Peterson (Lowell), Metcalf, Peterson (Ted), Mattingly and Marsh:

Authorizing a study of fish food.

The bill was read the second time.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Senate Bill No. 2952 was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "One hundred and twenty-five thousand dollars--is it that quick and that easy? Is that how it comes? I would certainly appreciate a little more information. Perhaps Representative Martinis could give us a little more information. I certainly believe there is a need for the study of dogfish and certainly there is a

shortage of food. But are we just going to go that quickly on \$125,000, which seems to be a pretty heavy expense for a study. Do you want to elaborate just a moment?"

Mr. Martinis: "Was that a question by Representative Zimmerman, or did he just want me to elaborate further on the bill? Well, the bill does appropriate \$125,000, but when the department has a shortage of these pellets to feed in our hatcheries, I think it is imperative that we develop a program that will pick up this shortage. When we have a shortage of fish it costs dollars. And when it comes to the overall hatchery program of the Department of Fisheries, certainly I agree with Representative Zimmerman that \$125,000 is a lot of money. But when we are talking about the overall propagation of fish in the state of Washington, that really isn't very much money, Representative Zimmerman. If we are going to continue the fine hatchery programs that the Department of Fisheries and the Department of Game have started (and we are leaders in the United States on the artificial propagation of salmon, trout and steelhead) I think it is very imperative that we support the department with this problem."

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2952, and the bill passed the House by the following vote: Yeas, 83; nays, 10; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Charnley, Curtis, Douthwaite, Eng, Julin, Pardini, Rabel, Shinpoch.

Not voting: Representatives Bluechel, Hayner, Kopet, Kuehnle, Smythe.

Senate Bill No. 2952, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2965, by Senators Walgren, Peterson (Lowell) and Wanamaker:

Making a supplemental appropriation to the Washington state toll bridge authority.

The bill was read the second time.

On motion of Mr. Thompson, the second reading was considered the third, and Senate Bill No. 2965 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2965, and the bill passed the House by the following vote: Yeas, 79; nays, 14; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hanser, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Cunningham, Eikenberry, Flanagan, Julin, Matthews, Morrison, Newhouse, Pardini, Paris, Polk, Tilly, Zimmerman.

Not voting: Representatives Blüechel, Hayner, Kopet, Kuehnle, Smith.

Senate Bill No. 2965, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1138, by Representatives Bagnariol, Kopet, Shinpoch and Swayze:

Defining dependent child for purposes of aid to families with dependent children.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments see Reports of Standing Committees, today's Journal, morning session.)

The bill was read the second time.

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

House Bill No. 1138 was ordered engrossed.

On motion of Mr. Thompson, the second reading was considered the third, and Engrossed House Bill No. 1138 was placed on final passage.

Representative Swayze spoke in favor of passage of

the bill, and Representatives Savage and Maxie spoke against it.

Mr. Swayze spoke again in favor of the bill, and Mr. Eng spoke against it.

#### POINT OF INQUIRY

Mr. Swayze yielded to question by Mr. King.

Mr. King: "The question will be in a couple of parts. The first question is: What is the difference in terms both of dollar amount and who would be eligible in terms of the ADC provisions that now exist and general assistance? Is there a difference in the total number of people affected? Is there a difference in the amount of support money they would be getting?"

Mr. Swayze: "I have asked those same fiscal questions in the last couple of days and have not received any satisfactory answers. Really, they just simply do not know whether there would be more fiscal impact of state dollars to educate everyone between 18 and 21 with federal matching funds, or whether it would be cheaper in state dollars to complete just high school and vocational programs with total state dollars. As far as I know, I haven't been able to determine any actual figures and any they would come out with, I am sure would just be guesses."

Mr. King: "The second question: I don't understand how you can avoid the constitutional question simply by shifting to a different fund. Isn't there still a question of the equal protection of the laws under general assistance as well as other areas?"

Mr. Swayze: "That constitutional question does remain, as to whether in any public assistance program or in any governmental program (and this issue was raised in the Illinois case) it is a violation of the equal protection clause to segregate high school and vocational programs from college programs. I didn't raise that in my argument because that constitutional question remains with us under our existing state law whether or not we pass this particular bill. So it has no impact on that particular constitutional question."

#### MOTION

Mr. King moved that the House defer further consideration of Engrossed House Bill No. 1138, and the bill be ordered placed at the top of tomorrow's third reading calendar.

Mr. King spoke in favor of the motion, and Mr. Swayze spoke against it.

## MOTION

Mr. Chatalas moved to amend Mr. King's motion and place Engrossed House Bill No. 1138 on the calendar following Engrossed Substitute Senate Bill No. 2603.

Mr. King stated he had no objection to the amendment to the motion.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Mr. King's motion would be amended as suggested by Mr. Chatalas.

The motion was carried.

## MOTIONS

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

On motion of Mr. Thompson, ENGROSSED HOUSE JOINT RESOLUTION NO. 41 was rereferred to the Committee on Rules.

On motion of Mr. Charette, all bills passed to this point in the proceedings were ordered transmitted immediately to the Senate.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

## MOTION

On motion of Mr. Charette, the House reverted to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

September 13, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2102, Prime sponsor of original bill: Senator Durkan, making technical changes to the tax bill implementing HJR 37, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

On page 10, section 4, beginning on line 13 after "drugs." strike all material down to and including the period after "animals" in line 19 and insert the following "The term 'prescription drugs' shall include any medicine, drug, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans or animals ordered by the written direction of a dentist, physician, veterinarian or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order."

On page 11, section 4, lines 8 and 9, after "sugar products" strike "excluding candy and confectionery"



On page 11, section 4, line 10 after "products" strike "excluding candy and confectionery"

On page 11, section 4, line 16 after "except" and before "spirituous" strike "bottled water,"

On page 17, section 5, beginning on line 21 after "drugs." strike all material down to and including the period after "animals" on line 27 and insert "The term 'prescription drugs' shall include any medicine, drug, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans or animals ordered by the written direction of a dentist, physician, veterinarian or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order."

On page 18, lines 16 and 17 after "sugar products" strike "excluding candy and confectionery"

On page 18, line 18 after "products" strike "excluding candy and confectionery"

On page 18, section 5, line 24 after "except" strike "bottled water,"

On page 19, section 6, line 29 after "mean" strike all material down to and including "is also" on line 31

On page 19, section 6, line 33 after "Code" and before "(ii)" strike the comma and insert "or"

On page 20, section 6, line 1 after "Code" strike "or (iii) other real property"

On page 28, section 8, line 26 insert a new subsection (h) following subsection (g) to read as follows: "(h) Deduct one hundred percent of dividend income to the extent such income constitutes 'qualifying dividends' as defined in section 243 (b) (1) of the Internal Revenue Code and eighty-five percent of other dividend income: PROVIDED HOWEVER, That the deduction provided herein shall be allowed only to the extent that the income of the payor corporation from which the dividend is paid has been included in taxable income and has been subject to the tax imposed by this title."

Renumber the remaining subsections consecutively and change all internal references accordingly

On page 34, section 12, line 14 after "the" strike "highest" and insert "applicable"

On page 40, section 17, after line 18 insert a new subsection (3) to read as follows:

"(3) Except as hereinafter provided the tax imposed by this title shall not apply to foreign or alien insurers subject to the premium tax, to the extent imposed by RCW 48.14.020, holding valid certificates of authority issued by the insurance commissioner of this state: PROVIDED, That the provisions of this subsection shall not exempt any person engaging in the business of representing any insurer, whether as general or local agent, or acting as broker for one or more insurers."

Renumber the remaining subsections consecutively

On page 45, section 24, line 3 after "Sections" strike "20 and 21" and insert "22 and 23"

On page 45, section 25, line 11 at the beginning of the line, strike "20" and insert "22"

On page 45, immediately following section 25, add a new section as follows:

"NEW SECTION. Sec. 26. There is added to chapter

141, Laws of 1973 1st ex. sess. and to chapter (\_\_\_) RCW a new section as follows:

Any resident individual tenant who rents a dwelling unit located in this state, upon which property taxes are levied, shall be allowed a credit against the tax imposed by this Title of twenty dollars for the calendar year 1974; fifteen dollars for the calendar year 1975; ten dollars for the calendar year 1976; and five dollars for the calendar year 1977.

In the event a dwelling unit is not rented by the tenant taxpayer for a full calendar year the credit shall be that percentage of the applicable credit that the period of time it is occupied by the tenant taxpayer as a dwelling unit bears to a full calendar year.

In the event a dwelling unit is rented by more than one tenant taxpayer the tax credit shall be that percentage of the applicable credit that the rental payment by the tenant taxpayer bears to the total rental for the dwelling unit.

The term 'dwelling unit' means the tenant taxpayer's principal place of abode during the period of time for which he claims a credit and which contains facilities for sleeping and preparation of meals."

Renumber the remaining sections consecutively

On page 1, line 27 of the title, after "adding" strike "a new section" and insert "new sections"

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Barden, Bausch, Blair, Brown, Charette, Chatalas, Ehlert, Erickson, Gaspard, Hoggins, Kilbury, Luders, Newhouse, North (Frances), Sawyer, Smith, Sommers, Thompson, Van Dyk, Warnke.

#### MOTION

On motion of Mr. Charette, Engrossed Substitute Senate Bill No. 2102 was placed on today's second reading calendar, to be considered immediately.

September 13, 1973

ENGROSSED SUBSTITUTE SENATE BILL NO. 2603, Prime sponsor of original bill: Senator Lewis (Harry), setting forth state economic impact act seeking to offset economic consequences of closing state institutions and services, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, at the beginning of line 26 strike "less" and insert "more"

On page 2, section 3, line 24 after "not" strike "less" and insert "more"

On page 4, section 4, line 28 after "benefit" insert "of three percent for each complete year that such employee is under fifty-five years of age"

On page 4, section 4, beginning on line 33 after "benefit" strike all material down to and including "employment" on line 2, page 5, and insert "in a calendar

year following a calendar year in which their employment income was in excess of \$6,000. This \$6,000 base shall be adjusted annually beginning in 1974 by such cost of living adjustments as are applied by the Public Employees' Retirement System to membership retirement benefits"

On page 5, section 6, line 33 after "cost" insert " : PROVIDED, That such billing shall not exceed \$861,000"

On page 6, section 9, line 15 strike "until and including September 14, 1974" and insert "for employees of those state facilities closed after May 1, 1973 and prior to September 14, 1974"

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Bausch, Blair, Brown, Charette, Curtis, Ehlers, Gaspard, Hansey, Hoggins, Kilbury, Kopet, Luders, Moon, North (Frances), North (Lois), Pardini, Sawyer, Smith, Thompson, Valle, Van Dyk, Warnke, Williams.

## MOTION

On motion of Mr. Charette, Engrossed Substitute Senate Bill No. 2603 was placed on today's second reading calendar to be considered immediately after Engrossed Substitute Senate Bill No. 2102.

## MESSAGES FROM THE SENATE

September 13, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 785,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

September 12, 1973

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2112,

SUBSTITUTE SENATE BILL NO. 2463,

SENATE BILL NO. 2659,

SENATE BILL NO. 2915,

SENATE BILL NO. 2944,

SENATE BILL NO. 2945,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2102, by Committee on Ways and Means (Originally sponsored by Senator Durkan):

Making technical changes to the tax bill implementing HJR 37.

The bill was read the second time.

Mr. Randall moved adoption of the first committee amendment as follows:

On page 10, section 4, beginning on line 13 after "drugs." strike all material down to and including the period after "animals" in line 19 and insert the following "The term 'prescription drugs' shall include any medicine, drug, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans or animals ordered by the written direction of a dentist, physician, veterinarian or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order."

Mr. Randall spoke in favor of the amendment.

#### PARLIAMENTARY INQUIRY

Mr. Hansey: "Mr. Speaker, I have an amendment that is being passed out now to this committee amendment. Would it be necessary to have that before passage of the original amendment, or can we amend the amendment after it has been acted on?"

The Speaker (Mr. O'Brien presiding): "We should take care of it now, Mr. Hansey. If you have no objection, we will read your amendment. There are two short amendments to the same section, and I think the House should be able to follow them."

Mr. Hansey moved adoption of the following amendments by Representatives Hansey and Flanagan:

On page 1, line 7 of the committee amendment to section 4 after "humans" strike "or animals"

On page 1, line 8 of the committee amendment to section 4 after "physician" strike ", veterinarian"

Mr. Hansey spoke in favor of the amendments, and Mr. Moon spoke against their adoption.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "We are now under the three-minute rule. According to the rule, unless the House gives its consent, we should abide by it."

Mr. Hansey spoke again in favor of the amendments.

The amendments by Representatives Hansey and Flanagan to the committee amendment were not adopted.

The committee amendment was adopted on a rising vote.

Mr. Randall moved adoption of the following committee amendments:

On page 11, section 4, lines 8 and 9, after "sugar products" strike "excluding candy and confectionery"

On page 11, section 4, line 10 after "products" strike "excluding candy and confectionery"

Mr. Randall spoke in favor of the amendments.

Mr. Conner demanded an electric roll call and the

demand was sustained.

ROLL CALL

The Clerk called the roll on the adoption of the committee amendments to page 11, lines 8 and 9, and line 10, Engrossed Substitute Senate Bill No. 2102, and the amendments were adopted by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yeas: Representatives Adams, Amen, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nays: Representatives Kraabel, Savage.

Not voting: Representatives Anderson, Bluechel, Freeman, Kopet, Parker.

On motion of Mr. Randall, the following committee amendment was adopted:

On page 11, section 4, line 16 after "except" and before "spirituous" strike "bottled water."

Mr. Randall moved adoption of the following committee amendment:

On page 17, section 5, beginning on line 21 after "drugs." strike all material down to and including the period after "animals" on line 27 and insert "The term 'prescription drugs' shall include any medicine, drug, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans or animals ordered by the written direction of a dentist, physician, veterinarian or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order."

Mr. Hansey moved adoption of the following amendments by Representatives Hansey and Flanagan to the committee amendment:

On page 1, line 7 of the committee amendment to section 5 after "humans" strike "or animals"

On page 1, line 8 of the committee amendment to section 5 after "physician" strike ", veterinarian"

Mr. Hansey spoke in favor of the amendments and Mr. Moon spoke against their adoption.

The amendments by Representatives Hansey and Flanagan

to the committee amendment were not adopted.

The committee amendment to page 17 was adopted.

Mr. Randall moved adoption of the following committee amendments:

On page 18, lines 16 and 17 after "sugar products strike "excluding candy and confectionery"

On page 18, line 18 after "products" strike "excluding candy and confectionery"

On page 18, section 5, line 24 after "except" strike "bottled water,"

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Hansey.

Mr. Hansey: "Representative Randall, this section deals with the payment of a B & O tax, and maybe I missed part of the committee meeting. I would like to have you explain what the justification was for exempting the sales of candy from the B & O tax. I can understand why we took the sales tax off of it to make it like food, but I don't understand why we are exempting it from the B & O tax."

Mr. Randall: "My response is that I think your reference is not proper. This is a use tax. It is not a B & O tax--it doesn't refer to B & O tax, but rather a use tax. I don't think B & O enters into this."

The committee amendments to page 13 were adopted.

On motion of Mr. Randall the following committee amendment was adopted:

On page 19, section 6, line 29 after "mean" strike all material down to and including "is also" on line 31

On motion of Mr. Randall, the following committee amendment was adopted:

On page 19, section 6, line 33 after "Code" and before "(ii)" strike the comma and insert "or"

On motion of Mr. Randall, the following committee amendment was adopted:

On page 20, section 6, line 1 after "Code" strike "or (iii) other real property"

#### PARLIAMENTARY INQUIRY

Mr. Charette: "Mr. Speaker, may I ask a point of parliamentary inquiry? Did you rule that the committee amendment to page 20, section 6, line 1 carried?"

The Speaker (Mr. O'Brien presiding): "Yes."

## MOTION FOR RECONSIDERATION

Mr. Kuehnle, having voted on the prevailing side, moved that the House do now reconsider the vote by which the committee amendment to page 20, Engrossed Substitute Senate Bill No. 2102 was adopted.

Representatives Kuehnle and Charette spoke in favor of the motion to reconsider.

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

Representatives Julin and Pardini spoke in favor of the motion, and Mr. Moon spoke against it.

Mr. Kuehnle spoke again in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Kuehnle to reconsider the vote by which the committee amendment was adopted to page 20, section 6, line 1, Engrossed Substitute Senate Bill No. 2102, and the motion was carried by the following vote: Yeas, 77; nays, 17; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Swayze, Thompson, Tilly, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bender, Charnley, Clemente, Ehlers, Eng, Erickson, Gallagher, Goltz, Kelley, Kilbury, King, Lysen, Moon, Parker, Sommers, Valle, Williams.

Not voting: Representatives Bluechel, Knowles, Kopet, Perry.

## RECONSIDERATION

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the following committee amendment to Engrossed Substitute Senate Bill No. 2102:

On page 20, section 6, line 1 after "Code" strike "or (iii) other real property"

Ms. Sommers spoke in favor of adoption of the amendment.

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

Mr. Randall spoke in favor of adoption of the committee amendment.

POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I am frankly confused here--not being in the business of studying the federal schedule very much. Could you please tell us first what is covered in section 1231, and list some of the items, please, like land, house, trees, etc., if that applies. And secondly, what is meant by 'other real property,' so I know what I am voting on here."

Mr. Kuehnle: "I certainly don't hold myself as an expert on the federal income tax or the chapters contained therein, but I will try to give you my interpretation as I see it. Section 1221 essentially deals with personal property, and there are some exclusions from that personal property such as inventions and documents and this type of thing. But essentially, it does include real property, so that if you, Representative Douthwaite, owned a piece of land that you paid \$10,000 for twenty years ago, and you sold it after the effective date of the act, you would only be taxed on the gain after the effective date of the act. If it were worth \$50,000 as of the effective date you would be exempted from the gain from \$10,000 to \$50,000, because that was personal property that you owned. Section 1231 essentially deals with business property which would include trucks and tractors and equipment and business inventory. And that inventory could also include such things as the gravel in the ground or the ore in the mine, or even timber or a crop. It is an inventory. And so we are granting that exemption to business inventories under the personal property. The place we are getting hung up here then is the other property category, which is the only classification left really that isn't included in 1221 and 1231. It is that land held by a broker who is a dealer in land. And if we do not include the terminology 'other property,' we are then discriminating against him and we are saying, 'hey, everybody else in the world gets to establish a cost basis as of the effective date of the act, but a land dealer does not.' Also, I could go back to the piece of property that you owned that you paid \$10,000 for twenty years ago and if, let's say it was worth \$50,000 as of the effective date of the act, and then you sold it the next day, if you sold it in one chunk you would be exempt from that retroactive gain. But if you subdivided it into six pieces, you would then become a dealer, and you would then have to pay retroactively the tax on the gain from \$10,000 to \$50,000. Does that help?"

Mr. Douthwaite: "Yes, one thing remains unclear, if I may proceed. The 1974 point at which property begins to appreciate in value, and we are going to be taxing on the increased value, I think we all agree that we want to do that. Now you indicate, Mr. Kuehnle, that the other real property which we are worrying about--whether or not we will retain that--you indicate that the other real property



is somehow beyond this protection, which is in HJR 37, which means it starts in 1974. As I understand HJR 37, all of our incremental income property here is considered to start in 1974. Now that would include other real property too, would it not?"

Mr. Kuehnle: "Well, I guess we have to go back to the constitutional amendment which talks about capital property, and I think there is no question in any of our minds but that the constitutional amendment says: 'In the case of capital property as defined by the legislature 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 such property occurring between the time of acquisition by the taxpayer and the effective date of such act.' So it says that that prior gain is excluded, but it refers to capital property as defined by the legislature, and that is what the harangue is about now--the definition of capital property as defined by the legislature. And the question is, are we going to exclude this one little section of capital property which is real estate, either owned by a dealer, or potentially you, in the case you might subdivide it later and sell it?"

Mr. Douthwaite: "Thank you very much. Therefore I conclude that we should refuse to accept the committee amendment, and leave the language as it is."

The Speaker assumed the Chair.

Mr. Moon spoke in favor of adoption of the committee amendment, and Representatives Bagnariol, Charette and Smith spoke against it.

Mr. Chatalas demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the reconsideration of adoption of the committee amendment to page 20, section 6, line 1, Engrossed Substitute Senate Bill No. 2102, and the amendment was lost by the following vote: Yeas, 20; nays, 74; not voting, 4.

Voting yea: Representatives Barden, Bender, Charnley, Clemente, Ehlers, Gaines, Goltz, Hurley, Kelley, Kilbury, King, Lysen, Moon, Parker, Randall, Shinpoch, Sommers, Valle, Warnke, Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Beck, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris,

Patterson, Polk, Pullen, Rabel, Savage, Schumaker, Smith, Smythe, Swayze, Thompson, Tilly, Van Dyk, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Anderson, Bluechel, Kopet, Perry.

#### MOTION FOR RECONSIDERATION

Mr. Brown, having voted on the prevailing side, moved that the House do now reconsider the vote by which the committee amendment to page 19, section 6, line 33 was adopted.

The motion was carried.

#### RECONSIDERATION

The Speaker stated the question before the House to be the following amendment:

On page 19, section 6, line 33 after "Code" and before "(ii)" strike the comma and insert "or"

The committee amendment, on reconsideration, was lost.

On motion of Ms. Sommers, the following committee amendments to Engrossed Substitute Senate Bill No. 2102 were adopted:

On page 28, section 8, line 26 insert a new subsection (h) following subsection (g) to read as follows:

"(h) Deduct one hundred percent of dividend income to the extent such income constitutes 'qualifying dividends' as defined in section 243 (b)(1) of the Internal Revenue Code and eighty-five percent of other dividend income: PROVIDED HOWEVER, That the deduction provided herein shall be allowed only to the extent that the income of the payor corporation from which the dividend is paid has been included in taxable income and has been subject to the tax imposed by this title."

Renumber the remaining subsections consecutively and change all internal references accordingly

On page 34, section 12, line 14 after "the" strike "highest" and insert "applicable"

Ms. Sommers moved adoption of the following committee amendment to Engrossed Substitute Senate Bill No. 2102:

On page 40, section 17, after line 18 insert a new subsection (3) to read as follows:

"(3) Except as hereinafter provided the tax imposed by this title shall not apply to foreign or alien insurers subject to the premium tax, to the extent imposed by RCW 48.14.020, holding valid certificates of authority issued by the insurance commissioner of this state: PROVIDED, That the provisions of this subsection shall not exempt any person engaging in the business of representing any insurer, whether as general or local agent, or acting as broker for one or more insurers."

Renumber the remaining subsections consecutively.

Ms. Sommers explained the effect of the committee amendment.

Representatives Charette and Julin spoke in favor of adoption of the committee amendment.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Blair.

Mr. Blair: "You spoke to us and told us that there is at present a premium tax on insurance companies, and you used the number 'two percent.' Am I correct in assuming that that two percent is in effect a B & O tax, or the equivalent of it? Is it two percent of the gross of the company so as not be confused with the six and one-half or eight percent of the income tax proposed?"

Mr. Charette: "Yes, you are correct. Foreign and alien insurance companies pay a two percent tax on premium. If they collect \$100 in premium, they pay two dollars in tax. Now domestics pay one dollar. That is the ones that are in our state--they pay one dollar."

Ms. Sommers spoke against adoption of the amendment, and Mr. Pardini spoke in favor of it.

The committee amendment to page 40, Engrossed Substitute Senate Bill No. 2102, was adopted.

On motion of Ms. Sommers, the following amendments were adopted:

On page 45, section 24, line 3, after "Sections" strike "20 and 21" and insert "22 and 23"

On page 45, section 25, line 11 at the beginning of the line, strike "20" and insert "22"

Ms. Sommers moved adoption of the following committee amendment:

On page 45, immediately following section 25, add a new section as follows:

"NEW SECTION. Sec. 26. There is added to chapter 141, Laws of 1973 1st ex. sess. and to chapter (\_\_\_) RCW a new section as follows:

Any resident individual tenant who rents a dwelling unit located in this state, upon which property taxes are levied, shall be allowed a credit against the tax imposed by this Title of twenty dollars for the calendar year 1974; fifteen dollars for the calendar year 1975; ten dollars for the calendar year 1976; and five dollars for the calendar year 1977.

In the event a dwelling unit is not rented by the tenant taxpayer for a full calendar year the credit shall be that percentage of the applicable credit that the period of time it is occupied by the tenant taxpayer as a dwelling unit bears to a full calendar year.

In the event a dwelling unit is rented by more than one tenant taxpayer the tax credit shall be that percentage of the applicable credit that the rental payment by the tenant taxpayer bears to the total rental for the dwelling

unit.

The term 'dwelling unit' means the tenant taxpayer's principal place of abode during the period of time for which he claims a credit and which contains facilities for sleeping and preparation of meals."

Renumber the remaining sections consecutively.

Mr. Curtis moved adoption of the following amendment to the committee amendment:

On line 8 of the committee amendment after "1977" insert ": PROVIDED, That in the event that insufficient tax liability is incurred to fully utilize the tax credit provided herein there shall be a refund issued in the amount of the differential between the amount of credit actually used and the amount provided for"

Representatives Curtis and Sommers spoke in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Curtis yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Curtis, have you any idea or will you hazard a guess as to what the cost will be to the state of Washington for processing one of these applications for a return of \$5.00?"

Mr. Curtis: "No, Representative Kuehnle. I can tell you that the fiscal impact of the amount of refunds has been estimated by Mr. Finkelstein of our staff at about \$1 million to \$1.2 million in terms of the impact there. I realize that is not your question. You are saying, 'What does it cost to process a warrant?' Frankly, if it is five bucks back to the lady on social security, I could care less what it costs, if she is going to get it."

Mr. Kuehnle spoke against adoption of the amendment to the amendment.

The amendment by Mr. Curtis to the committee amendment was adopted.

The Speaker stated that with the consent of the House, further consideration of the committee amendment would be deferred until an amendment by Representatives Cunningham and Barden to the committee amendment was printed and distributed.

Mr. Moon moved adoption of the following amendment:

On page 19, section 6, line 19 after "1231" and before "of the" insert "(a),(b)(1)"

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

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

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

POINT OF INQUIRY

Mr. Moon yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Moon, you are going to insert (a), (b) (1), and that is the nature of your amendment. Looking at it, I can't tell for sure what you are going to do. Would you tell me if those parentheses in this amendment are a restriction in a section of 1231 of the Internal Revenue Code?"

Mr. Moon: "I see the bill drafters drafted this amendment in error. I am glad you brought it to my attention."

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

Mr. King moved adoption of the following amendment:

On page 19, beginning on line 32, strike all the material down to and including "property" on page 20, line 1 and insert "a capital asset as defined in section 1221 of the Internal Revenue Code"

Mr. King spoke in favor of the amendment.

POINT OF ORDER

Mr. Julin: "Mr. Speaker, I believe this amendment deals with an amendment to the House Committee amendment that has already been adopted. I believe the proper procedure for Representative King, had he sought to make this amendment, was to move to amend the House committee amendment when we had it before us."

The Speaker: "Representative Julin, it is my understanding that the amendment is to the original verbiage that came over from the Senate. Therefore it would be a proper floor amendment to the bill. I understood the committee amendment was to strike out the language on the first line of page 20, so it would appear that the amendment is order."

POINT OF ORDER

Mr. Pardini: "There are also two other committee amendments dealing with page 19, on line 29 and line 33, and that issue has been before us prior to this time."

The Speaker: "Parts of it have, but not this particular matter. We went through the committee amendments first as we traditionally do, and now we are going back to the floor amendments. If we followed the rules, then we would intermingle the floor amendments with the committee amendments, but we have always given them precedence so people realize the difference."

Mr. King: "I understand that Representative Moon has his amendment perfected, and since it deals with an area that I am attempting to strike, the House ought to have the opportunity to perfect this matter before we vote on this amendment. I wonder if it would be possible to go ahead and consider his perfected amendment first?"

The Speaker: "You will then have to withdraw your amendment."

With the consent of the House, Mr. King withdrew his amendment.

The Speaker instructed the Clerk to read the amendment by Mr. Moon.

POINT OF ORDER

Mr. Pardini: "Have we not passed this section? I want to raise my point of order--I'm not sure where Representative Moon's amendment is coming, but I don't want to get squeezed out by not raising this question fast enough. Has Mr. Moon withdrawn his amendment?"

The Speaker: "Mr. Moon has withdrawn his amendment and resubmitted it in the same area. The very line we are on right now."

Mr. Pardini: "But Mr. King has an amendment."

The Speaker: "Mr. King asked that his amendment be withdrawn because he was striking the language, and Mr. Moon is attempting to perfect it. So we would consider that first, even though it comes a few words later."

The Clerk read the following amendment by Mr. Moon:  
On page 19, section 6, line 19 after "1231" and before "of the" insert "(a), (b) (1)"

POINT OF ORDER

Mr. Swayze: "Here again, I don't see any such language on line 19."

The Speaker: "I'm sorry, it should have been line 33. It is the same amendment Mr. Moon attempted to present before, Representative Swayze. I guess he now has a little more confidence in it."

POINT OF ORDER

Mr. Pardini: "That is my point of order, Mr. Speaker. The amendment has been withdrawn once. We have gone past that point."

The Speaker: "I don't think the House has taken any action on it; therefore I think it could properly be brought before the House for action."

Mr. Moon moved adoption of the following amendment:  
On page 19, section 6, line 33 after "1231" and  
before "of the" insert "(a), (b) (1)"

Representatives Moon and Randall spoke in favor of the amendment.

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

Mr. Kuehnle spoke against adoption of the amendment.

POINT OF ORDER

Mr. Moon: "Representative Kuehnle is referring to section 3 of the IRS Code, and section 3 will be left in."

The Speaker: "Representative Moon, I think that is a matter of argument rather than a matter of point of order."

POINT OF ORDER

The Speaker: "Are you rising to a point of order, Representative Randall?"

Mr. Randall: "Maybe to a point of personal privilege. Representative Moon's amendment seeks to insert subsection (a), subsection (b) and subsection (1) after 1231. It inserts that language."

The Speaker: "That is a matter of correction, unless he is speaking beyond the scope of the amendment."

POINT OF ORDER

Mr. Moon: "My point of order is that Mr. Kuehnle is speaking beyond the scope and object of the amendment."

The Speaker: "With the consent of the House we will proceed to the next amendment and come back to this one after the Speaker has looked at the IRS regulations and has become a tax expert. So if there is no objection, we will proceed to the amendment not directly affected by this section.

"Representative Moon, Representative Kuehnle's remarks are within the scope of your amendment. Representative Kuehnle, if you will continue with your remarks."

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

Representatives Pardini and Charette spoke against adoption of the amendment by Mr. Moon.

## PERSONAL PRIVILEGE

Mr. Moon: "Thank you, Mr. Speaker, I think I would prefer to have this more as a point of personal privilege rather than remarks about this amendment. I think the last four or five or ten minutes has pointed out one of the real tragedies that we are confronted with in our legislative process. The special interests are able to hire the best tax attorneys, the best tax accountants, that money can buy. And they do. If they are not satisfied with one, they go to another. If they are not satisfied with either of those two, they go to another. And I certainly wouldn't criticize our legislative staff for their work--the many, many hours they have done on this--trying to help us legislators perfect this monstrosity (as I call it). But we can't do much more than just hire good generalists, and we hired some good generalists. We can't hire the real experts who are available to the private sector and to the special interests. We don't have that kind of money to hire them. We've got it I suppose, but it is pretty difficult to justify it to the general public. We have got to hire people who react, and react rapidly, and we hope that they react in the right direction for us. We have been working on this for several hours. We got the hard copy. We've got two or three staff members. I went to a staff member and I said 'This is an amendment I am concerned about. What can you do?' 'Well, I can take care of you after I take care of four or five other legislators that have already presented an amendment, and a problem to solve.' They don't have the opportunity to deliberate over this for weeks and weeks in advance about what is going to be put into this, and to correct the mistakes that some of us might think are in there. I don't know how we are going to solve this, but I think it is really regretful, and it is a real tragedy when the people of the state of Washington get taken, and I mean taken, by the big tax exemptions that are granted to these special interests. We spent quite a bit of time during the interim dealing with tax exemptions on the public service agencies, an area that takes a total of less than three percent of our total tax exemptions, and I am for this type of exemption. And what do we do? We don't spend much time looking at the other exemptions--the other ninety-seven percent exemptions--and then we go ahead and we get to an area where we have an opportunity to delete the privilege of a hundred percent depletion allowance, and we don't have time to prepare a proper amendment."

## PERSONAL PRIVILEGE

Mr. Julin: "Point of personal privilege."

The Speaker: "Will you state your point of personal privilege, and may I remind you of the three-minute rule."

Mr. Julin: "Yes, Mr. Speaker, I think there is implicit in Representative Moon's remarks a criticism of the caliber and quality of some of the professional staff that serves the state of Washington in the area of taxation. I believe that he is correct when he says the



industry has the capability to hire experts. I, for one, believe we have equally qualified experts to advise us and they have been doing that in connection with this matter, regardless of what anyone might think about those experts' individual personal philosophy. I think they are a real expert staff and I just want to rise in their defense."

The Speaker: "Are there further remarks? Mr. Moon, I would hope we wouldn't get into a debate over the qualities of our staff. I happen to be one who is very proud of them, too."

Mr. Moon: "I think in my remarks I said we have a real high caliber staff and I appreciate all the work they do."

Mr. Pardini spoke against adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Moon to Engrossed Substitute Senate Bill No. 2102, and the amendment was lost by the following vote: Yeas, 25; nays, 64; not voting, 9.

Voting yea: Representatives Barden, Bausch, Bender, Blair, Charnley, Clemente, Cunningham, Ehlers, Eikenberry, Eng, Erickson, Gaspard, Goltz, Johnson, Kelley, King, Knowles, Lysen, Maxie, Randall, Shinpoch, Smith, Sommers, Valle, Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Beck, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Conner, Curtis, Douthwaite, Ellis, Planagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Hansen, Harsey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Jueling, Julin, Kalich, Kilbury, Kraabel, Kuehne, Laughlin, Leckenby, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Savage, Schumaker, Swayze, Thompson, Tilly, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Anderson, Bluechel, Brown, Kopet, Luders, Moon, Perry, Smythe, Van Dyk.

Mr. King moved adoption of the following amendment:

On page 19, beginning on line 32 strike all the material down to and including "property" on page 20, line 1 and insert "a capital asset as defined in section 1221 of the Internal Revenue Code"

Mr. King spoke in favor of the amendment and Mr. Pardini spoke against it.

Mr. Charette spoke against adoption of the amendment.

#### PERSONAL PRIVILEGE

Mr. King: "Mr. Speaker, point of personal privilege. I think all of the men involved in this exchange are honorable. The individual we talked with said that it was impossible to estimate that figure in a definitive way. I

kept pushing him, and asked for a ball park area guess. He gave me the \$50 million figure--he said, 'I think it will be higher than that, but I don't know.' So everybody is correct here. He is not going to say: 'This is exactly what the impact will be' because they don't know. They can't figure it. The whole concept of this bill is based on riding piggy-back on the federal income tax. And when, in one area, this particular area, you jump off that piggy-back, there is no way other than the ball park guess. That is what I was presenting, and that is what he told me would be a conservative ball park guess in this area."

Ms. Sommers spoke in favor of adoption of the amendment.

#### PERSONAL PRIVILEGE

Mr. Pardini: "My point of personal privilege, Mr. Speaker, is that Ms. Sommers has indicated to this body that I was attempting to be clever. I read the letter, and I think that if the transcript of my remarks were given back to this body, Ms. Sommers, and if you had listened carefully, my remarks would have been in two parts: One, the letter relating to Representative King's allegation of administrative difficulty. When I finished reading the letter, I then alluded to the fact that the department was concerned about the philosophical difference, and that is a question for us to decide, and not the Department of Revenue."

Mr. Kuehnle spoke against adoption of the amendment by Mr. King.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. King to Engrossed Substitute Senate Bill No. 2102, and the amendment was lost by the following vote: Yeas, 36; nays, 58; not voting, 4.

Voting yea: Representatives Barden, Bauer, Bausch, Bender, Blair, Brown, Charnley, Clemente, Ehlers, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Haussler, Hoggins, Jastad, Johnson, Kelley, Kilbury, King, Kraabel, Lysen, Maxie, Moon, North F., Parker, Randall, Savage, Shipoch, Sommers, Valle, Williams, Wojahn.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Beck, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hurley, Jueling, Julin, Kalich, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Smith, Swayze, Thompson, Tilly, Van Dyk, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bluechel, Kopet, Perry, Smythe.

Mr. Kelley moved adoption of the following amendment to Engrossed Substitute Senate Bill No. 2102:

On page 20, section 6, line 1 after "property" insert the following ": PROVIDED, That capital property shall not include property which is sold or exchanged or disposed of by the taxpayer after January 1, 1974 if such taxpayer derived his principal source of income in any three successive years prior to January 1, 1974 from the sale, exchange or disposal of substantially the same type of property"

Representatives Kelley and Blair spoke in favor of the amendment, and Mr. Kuehnle spoke against it.

Mr. Kelley spoke again in favor of the amendment.

The amendment by Mr. Kelley was lost on a rising vote.

Mr. Leckenby moved adoption of the following amendment to Engrossed Substitute Senate Bill No. 2102:

On page 25, section 7, line 28 after the period insert new subsections as follows:

"(i) Deduct interest to the extent allowable as an itemized deduction for federal income tax purposes pursuant to the provisions of section 163 of the Internal Revenue Code.

(j) Deduct charitable contributions to the extent allowable as an itemized deduction for federal income tax purposes pursuant to the provisions of section 170 of the Internal Revenue Code.

(k) Deduct taxes to the extent allowable as an itemized deduction for federal income tax purposes pursuant to the provisions of section 164 of the Internal Revenue Code except taxes imposed on or measured by net income."

Renumber the remaining subsections consecutively

Mr. Leckenby spoke in favor of the amendment, and Mr. Smith spoke against it.

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

#### POINT OF INQUIRY

Mr. Leckenby yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Do you have any idea, Representative Leckenby, what the fiscal impact of your amendment would be?"

Mr. Leckenby: "Well, we don't have all the figures, but there would be an economic impact of something over \$80 million. It would be a favorable economic impact to the taxpayers of the state of Washington."

Ms. Sommers spoke against adoption of the amendment, and Mr. Julin spoke in favor of it.

Mr. Leckenby spoke again in favor of the amendment, and Mr. Smith spoke again in opposition to its adoption.

#### POINT OF ORDER

Mr. Zimmerman: "My point of order simply is that I have an amendment that is dealing with one part of it, and I wanted to be sure that it wouldn't be lost--in terms of whatever happens on this particular vote. If it fails, I will have a chance--if it passes it will be absorbed, right? I didn't want to be left out."

The Speaker: "Your amendment deals with one of the subsections. So we are handling the whole group. Then if that fails, we will go back and handle your subsection."

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Leckenby to Engrossed Substitute Senate Bill No. 2102, and the amendment was lost by the following vote: Yeas, 36; nays, 58; not voting, 4.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Juelling, Julin, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bluechel, Kopet, Perry, Smythe.

The Speaker called on Mr. O'Brien to preside.

Mr. Zimmerman moved adoption of the following amendment by Representatives Zimmerman and Flanagan to Engrossed Substitute Senate Bill No. 2102:

On page 25, section 7, after line 30 insert the following:

"(j) Deduct charitable contributions to the extent allowable as an itemized deduction for federal income tax purposes pursuant to the provisions of section 170 of the Internal Revenue Code."

Renumber the remaining subsections consecutively

Mr. Zimmerman spoke in favor of the amendment.

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

Ms. Sommers spoke in favor of adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Zimmerman and Flanagan to Engrossed Substitute Senate Bill No. 2102, and the amendment was adopted by the following vote: Yeas, 88; nays, 3; not voting, 7.

Voting yea: Representatives Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Blair, Fortson.

Not voting: Representatives Bluechel, Kelley, Kopet, Moon, Perry, Smythe, Williams.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Julin to Engrossed Substitute Senate Bill No. 2102:

On page 34, section 12, line 20 after "income" strike "or losses" and insert "((or losses))"

Representatives Tilly and Sommers spoke in favor of the amendment.

The amendment was adopted.

Mr. Barden moved adoption of the following amendment to Engrossed Substitute Senate Bill No. 2102:

On page 45, after section 26, on line 14 add a new section to read as follows:

"NEW SECTION. Sec. 27. No county, charter county, city, town, or other political subdivision of the state of Washington shall impose and/or collect a tax upon or measured by net income."

Re-number the remaining sections consecutively.

Mr. Barden spoke in favor of the amendment, and Mr. Charette spoke against it.

#### POINT OF INQUIRY

Mr. Barden yielded to question by Mr. Cunningham.

Mr. Cunningham: "Representative Barden, has anything come to light in the recent two months that would make you think that the way the law as now written if HJR 37 passes, that King County specifically could levy an income tax?"

Mr. Barden: "Representative Cunningham, in a speech before the Municipal League in Seattle, Eleanor Brand from the Senate Ways and Means Committee staff told the Municipal League and the audience, and subsequently reiterated her remarks before the House Ways and Means Committee, that King county, because it is a home rule charter county and the only one in the state of Washington, has through the implied rights of the home rule charter county provisions in the state Constitution, and in the city-county consolidation amendment to the state Constitution (HJR 21 that passed last year) the right, without statutory prohibition, to impose a county income tax because there is no statutory prohibition, and that the powers that King county has as a charter county extend to King county the authority to levy an income tax. This was further reiterated and reenforced a few moments ago by the Chairman of the House Local Government Committee, Representative Haussler, when he came over and talked to me about this proposed floor amendment. And so therefore, ladies and gentlemen of the House, if you do not want an income tax in a home rule charter county, if you want the voters in the home rule charter counties of this state to be confident that when they vote for this package this fall, they are not voting..."

#### INQUIRY BY SPEAKER

The Speaker (Mr. O'Brien presiding): "Are you still replying to the question, or are you going off on other remarks?"

Mr. Barden: "I am trying to respond to Representative Cunningham. And so, Representative Cunningham, if you..."

The Speaker (Mr. O'Brien presiding): "It appears to me that you got far afield from replying to Representative Cunningham."

Ms. Sommers spoke against adoption of the amendment by Mr. Barden.

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

#### POINT OF INQUIRY

Mr. Barden yielded to question by Mr. Hansey.

Mr. Hansey: "Mr. Barden, you raised some questions in discussing your amendment here, which raised a serious question in my mind whether or not in the event HJR 37 passes this fall, whether or not this amendment passes, could the January session of the Legislature, under the terms of HJR 37, permit counties, cities and towns to

implement an income tax in the future?"

Mr. Barden: "Unfortunately, Representative Hansey, the passage of this amendment would not prohibit the Legislature in January or any subsequent session from repealing the provision of this amendment and authorizing local governments under the authority of HJR 37 to levy an income tax, or school districts."

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Barden to Engrossed Substitute Senate Bill No. 2102, and the amendment was lost by the following vote: Yeas, 38; nays, 54; not voting, 6.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Brown, Cunningham, Curtis, Eikenberry, Eng, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hendricks, Hoggins, Jueling, Julin, Kraabel, Kuehnle, Leckenby, Lysen, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hayner, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bluechel, Kopet, Parker, Perry, Smythe, Tilly.

The House resumed consideration of the committee amendment to page 45, adding a new section 26 (as amended by Mr. Curtis).

Mr. Cunningham moved adoption of the following amendment by Representatives Cunningham and Barden to the committee amendment to Engrossed Substitute Senate Bill No. 2102:

On page 3, line 6 of the committee amendment, being the addition of a new section 26, after "of" strike all material down to and including "1977" on line 8 and insert "six percent of the individual's dwelling unit rent for the calendar year"

Representatives Cunningham and Curtis spoke in favor of the amendment and Representatives Sommers and Bagnariol spoke against it.

The amendment by Representatives Cunningham and Barden to the committee amendment to Engrossed Substitute Senate Bill No. 2102 was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment as amended by Mr. Curtis.

Ms. Sommers spoke in favor of adoption of the committee amendment.

The committee amendment to page 45 as amended by Mr. Curtis was adopted.

On motion of Ms. Sommers, the committee amendment to the title was adopted:

On page 1, line 27 of the title after "adding" strike "a new section" and insert "new sections"

On motion of Mr. Conner, the second reading was considered the third, and Engrossed Substitute Senate Bill No. 2102 as amended by the House was placed on final passage.

Representatives Sommers and Randall spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2102 as amended by the House, and the bill passed the House by the following vote: Yeas, 77; nays, 16; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Gaines, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Benitz, Eng, Freeman, Gallagher, Gilleland, Hurley, Kuehrle, Maxie, May, McCormick, Moon, Parker, Polk, Pullen, Schumaker, Williams.

Not voting: Representatives Bluechel, Kopet, Perry, Smythe, Swayze.

Engrossed Substitute Senate Bill No. 2102 as amended by the House, having received the constitutional 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. 2603, by Committee on Ways and Means (Originally sponsored by Senators Lewis [Harry], Metcalf, Atwood, Peterson [Lewell], Wanamaker and Gardner - by Executive request):

Setting forth state economic impact act seeking to offset economic consequences of closing state institutions and services.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Reports of Standing Committees, today's Journal, afternoon session.)

The bill was read the second time.

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

On motion of Mr. Shinpoch, the following amendment by Representatives Shinpoch and Hansey was adopted:

On page 4, section 4, line 6 following "receive" strike "equal to" and insert "multiplied by"

On motion of Mr. Conner, the second reading was considered the third, and Engrossed Substitute Senate Bill No. 2603 as amended by the House, was placed on final passage.

Representatives Goltz, Hansey and Van Dyk spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2603 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 3; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Pausch, Beck, Bender, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Flanagan, Kuehne.

Not voting: Representatives Benitz, Bluechel, Kopet, Smith, Smythe.

Engrossed Substitute Senate Bill No. 2603 as amended by the House, having received the constitutional majority,

was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE SENATE

September 13, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2956, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

September 13, 1973

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2136,

SENATE BILL NO. 2410,

SENATE BILL NO. 2657,

SENATE BILL NO. 2952,

SENATE BILL NO. 2965,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) stated that the Speaker signed:

HOUSE BILL NO. 785,

SENATE BILL NO. 2112,

SENATE BILL NO. 2136,

SENATE BILL NO. 2410,

SUBSTITUTE SENATE BILL NO. 2463,

SENATE BILL NO. 2657,

SENATE BILL NO. 2659,

SENATE BILL NO. 2915,

SENATE BILL NO. 2944,

SENATE BILL NO. 2945,

SENATE BILL NO. 2952,

SENATE BILL NO. 2965.

MOTIONS

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

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Friday, September 14, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, September 14, 1973.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Bluechel and Smythe who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Grant Gard of Bethel Lutheran Church of Brush Prairie.

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

## MESSAGE FROM THE SENATE

September 13, 1973

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2043,

ENGROSSED SENATE BILL NO. 2964,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1159, by Representatives Flanagan, Barden, Hansen, Fortson, Haussler, Laughlin, Berentson, Kopet, Amen, Cunningham, Eikenberry and Gilleland:

AN ACT Relating to taxpayers; creating a new chapter in Title 84 RCW; and declaring an emergency.

To Committee on State Government.

HOUSE BILL NO. 1160, by Representatives Sommers, Zimmerman and Knowles:

AN ACT Relating to inheritance taxes; amending section 83.08.020, chapter 15, Laws of 1961 and RCW 83.08.020; and amending section 83.08.030, chapter 15, Laws of 1961 and RCW 83.08.030.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1161, by Representatives Goltz, Maxie, Williams, Eng and Van Dyk:

AN ACT Relating to institutions of higher education; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; and declaring an emergency.

To Committee on Higher Education.

HOUSE BILL NO. 1162, by Representative Jueling:

AN ACT Relating to negligent homicide by motor vehicle; and 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.

To Committee on Judiciary.

HOUSE BILL NO. 1163, by Representatives Lysen and Cunningham:

AN ACT Relating to property taxation; amending section 84.40.030, chapter 15, Laws of 1961 as last amended by section 96, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.030.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1164, by Representative Lysen:

AN ACT Relating to realty loan contracts; and adding new sections to chapters 30.04, 31.04, 31.08, 31.12, 31.16, 31.20, 31.24, 32.20, 33.24 and 48.13 RCW.

To Committee on Financial Institutions.

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.

To Committee on Judiciary.

ENGROSSED SENATE BILL NO. 2964, by Senator Gardner:

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.

To Committee on Education.

## REPORTS OF STANDING COMMITTEES

September 13, 1973

ENGROSSED SENATE BILL NO. 2046, Prime sponsor: Senator Scott, repealing the host-guest statutes, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Maxie, Shinpoch, Smith, Sommers.

To Committee on Rules for second reading.

September 13, 1973

ENGROSSED SENATE BILL NO. 2300, Prime sponsor: Senator Woody, permitting the use of electronic data processing system in selecting juries, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 7 after "choose," insert "by local superior court rule,"

On page 1, section 1, line 20 after "to be" strike "randomly selected" and insert "selected by an unrestricted random sample"

On page 2, section 1, line 2 after "to be" strike "randomly selected" and insert "selected by an unrestricted random sample"

On page 2, section 2, line 24 after "selected" strike all material down to and including "method", line 25

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Shinpoch, Smith, Swayze.

## MOTION

On motion of Mr. Thompson, Engrossed Senate Bill No. 2300 was placed on today's second reading calendar.

September 12, 1973

REENGROSSED SENATE BILL NO. 2366, Prime sponsor: Senator Grant, relating to legislative redistricting, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, after line 33 of the reengrossed bill, insert:

"T 135

T 136

T 137

T 138, 141 (CCD Medical Lake Rural)

T 139 (CCD Medical Lake)

T 140 (CCD Cheney)

T 142"

On page 6, strike line 4

On page 6, line 25 after "CCD 5" strike the balance of the line

On page 7, after line 9 of the reengrossed bill, insert "T 605 (part: B 102-107)" and "T 608 (part: B 101-108)"

On page 7, line 13 insert a new section as follows:

"NEW SECTION. Sec. 11. The twenty-seventh legislative district shall consist of the following areas:

In Pierce County:

T 601

T 602

T 605 (part: B 108-119, BG 2, 3, 4, 5)

T 606

T 607

T 608 (part: B 109-123, BG 2, 3, 4, 5, 6, 7)

T 611

T 612

T 613

T 614

T 615

T 616

T 617

T 618 (part: BG 1)

T 619

T 620

T 621

T 627 (part: BG 1)

T 708"

Renumber the remaining section consecutively

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Erickson, Knowles, Maxie.

To Committee on Rules for second reading.

September 12, 1973

SUBSTITUTE SENATE BILL NO. 2377, Prime sponsor of original bill: Senator Grant, changing the laws relating to U.S. Congressional elections, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following section 1 insert a new section 2 to read as follows:

"Sec. 2. Section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68.070 are each amended to read as follows:

When a vacancy happens in the representation of this state in the senate of the United States the governor shall make a temporary appointment until the people fill the vacancy by election at the next ensuing general state election. Such temporary appointment shall be from a list of three names submitted to the governor by the state central committee of the same political party as the senator holding office prior to the vacancy. A vacancy occurring after the first day for filing specified in RCW 29.18.030 and prior to the general state election shall be filled by election at the next ensuing general state

election."

Renumber the remaining sections consecutively.

On page 3, section 2, renumbered section 3, line 1 after "election," insert the following:

"If the vacancy occurs between or on a date six months prior to a general state election and the second Friday following the close of the filing period, the special primary and special general elections shall be held in concert with the regular primary and regular general elections. If the vacancy occurs on or after the first day for filing specified in RCW 29.18.030 and on or before the second Friday following the close of the filing period, a special filing period of three normal business days shall be fixed by the secretary of state and notice thereof given by notifying all media including press, radio and television within the congressional district concerned to the end that, insofar as possible, all interested persons will be aware of such filing period: PROVIDED, HOWEVER, That the last day of such filing period shall be no later than the third Tuesday prior to the primary election concerned. Such declarations of candidacy validly filed within said three day period shall appear on the approaching primary ballot as if made during the earlier filing period. If the vacancy should occur later than the second Friday following the close of the filing period, a special primary and special general election to fill such vacancy shall be held after the regular annual general election but, in any event, no later than the ninetieth day following the said November election."

On page 3, section 3, renumbered section 4, line 12 after "thereat" strike everything down to the period on line 19

In line 3 of the title, after "29.13.010;" and before "amending" insert "amending section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68.070;"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Eng, Erickson, Knowles, Maxie.

#### MOTION

On motion of Mr. Thompson, Substitute Senate Bill No. 2377 was placed on today's second reading calendar.

September 13, 1973

ENGROSSED SENATE BILL NO. 2572, Prime sponsor: Senator Whetzel, clarifying the authority of sewer districts, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Amen, Blair, Kuehnle, Laughlin, McCormick, Nelson, North (Lois), Patterson, Smythe.

To Committee on Rules for second reading.

September 13, 1973

ENGROSSED SENATE BILL NO. 2947, Prime sponsor: Senator Atwood, changing the effective date of laws relating to new commitment procedures for mentally disordered persons, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, beginning on line 14 strike all of section 6 and renumber the following sections consecutively

On page 1, line 9 of the title after "RCW (\_\_\_\_\_)";" strike all material down to and including "RCW (\_\_\_\_\_)";" on line 10

On page 1, line 13 of the title after "RCW (\_\_\_\_\_)";" insert a period and strike the remainder of the title.

Signed by Representatives Kelley, Vice Chairman; Gaspard, Hayner, Maxie, Shinpoch, Smith, Swayze.

## MOTION

On motion of Mr. Thompson, Engrossed Senate Bill No. 2947 was placed on today's second reading calendar.

The Speaker (Mr. Charette presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MESSAGE FROM THE SENATE

September 14, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 785,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.

## AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bluechel, Hendricks and Smythe who were excused.



## MOTION

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

## THIRD READING

HOUSE BILL NO. 1138, by Representatives Bagnariol, Kopet, Shinpoch and Swayze:

Defining dependent child for purposes of aid to families with dependent children.

## MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 1138, and the bill was ordered placed at the bottom of the third reading calendar.

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.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 178, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Flanagan.

Not voting: Representatives Bluechel, Hendricks, Julin, Smythe.

House Bill No. 178, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Mr. Charette, House Bill No. 178 was ordered transmitted immediately to the Senate.

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

## MESSAGE FROM THE SECRETARY OF STATE

September 8, 1973

THE HONORABLE,  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES  
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 House, the following House Bills passed by the House of Representatives and Senate at the First Extraordinary Session of the Forty-third Legislature, and either completely or partially vetoed by the Governor after the adjournment of said session, together with his veto message attached thereto. They are as follows:

House Bills completely vetoed:

- Sub. HB 323 relating to controlled substances.
- HB 349 relating to fish.
- HB 356 relating to legal holidays.
- HB 552 relating to health care.
- HB 928 relating to liquor.

House Bills partially vetoed:

- Sub. HB 53 relating to value for use of open space.
- HB 305 relating to revisions of public assistance support of collection procedures.
- Sub. HB 340 relating to hospitalization and control of tuberculosis.
- Sub. HB 445 relating to the Anti-Discrimination Law.
- Sub. HB 498 relating to the supplemental budget.
- HB 590 relating to employees, powers, duties and limitations of the Horse Racing Commission.
- HB 704 relating to general obligation bond issue for state buildings and facilities construction.
- Sub. HB 711 relating to comprehensive provisions for a state gambling commission.
- HB 720 relating to a state data processing authority.
- HB 901 relating to the powers and duties of the director of the Department of Fisheries.
- Sub. HB 1005 relating to the exemption of pension benefits.

Respectfully,  
A. LUDLOW KRAMER,  
Secretary of State.

## MOTION

Mr. Conner moved that Substitute House Bill No. 323 do pass the House notwithstanding the veto of the Governor.

Mr. Pardini demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Bauer, Bluechel, Hendricks and Smythe.

On motion of Mr. Thompson, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Conner that Substitute House Bill No. 323 do pass the House notwithstanding the veto of the Governor.

Representatives Kelley and Fortson spoke in favor of the bill, and Mr. Swayze spoke against it.

Mr. Kelley spoke again in favor of Substitute House Bill No. 323.

POINT OF ORDER

Mr. Pardini: "Mr. Speaker, is Mr. Kelley allowed to speak twice on this issue under the rules adopted on the opening day of this session?"

The Speaker (Mr. O'Brien presiding): "Your point is probably well taken. The rule also states '...not more than three minutes on the same subject without the consent of the House.' Your point of order is well taken. Mr. Kelley you have already spoken once--unless the House gave you additional permission, we would have to prohibit you from speaking any further."

MOTION

Mrs. Hurley moved that the House grant Mr. Kelley an additional three minutes.

PARLIAMENTARY INQUIRY

Mr. Swayze: "Point of parliamentary inquiry, Mr. Speaker. I was wondering if that motion takes a majority or a two-thirds vote?"

The Speaker (Mr. O'Brien presiding): "A majority vote."

## PARLIAMENTARY INQUIRY

Mr. Julin: "My recollection is that the rule we adopted on the suspension of the rules only related to the matter of the days upon which a bill should be considered. This is a suspension of the entire rules of the body, and I believe it still, notwithstanding that change, requires a two-thirds vote."

The Speaker (Mr. O'Brien presiding): "It has been established that consent means a majority vote of the House. So the question before you is the motion by Representative Hurley that Representative Kelley be granted an additional three minutes to speak on the subject matter."

The motion by Mrs. Hurley was carried.

Mr. Kelley spoke again in favor of the motion to override the Governor's veto.

Mr. King spoke against the motion and Representatives Hansen and Bender spoke in favor of it.

Mr. Bauer appeared at the bar of the House.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Conner that Substitute House Bill No. 323 do pass the House notwithstanding the veto of the Governor, and the motion was carried by the following vote: Yeas, 70; nays, 25; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Moon, Nelson, North F., O'Brien, Paris, Parker, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Blair, Brown, Charnley, Douthwaite, Eng, Flanagan, Goltz, Hoggins, Julin, King, Kopet, Kraabel, Maxie, Morrison, Newhouse, North L., Pardini, Patterson, Rabel, Swayze, Van Dyk, Williams, Zimmerman.

Not voting: Representatives Bluechel, Hendricks, Smythe.

Substitute House Bill No. 323, notwithstanding the Governor's veto, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

I was in Superior Court, Thurston County, when the vote was taken to override the Governor's veto on Substitute House Bill No. 323, and could not be here to vote.

May the record show that had I been here I would have voted in favor of overriding the Governor's veto.

JOHN L. HENDRICKS, 22nd District.

## MOTION

On motion of Mr. Kelley, Substitute House Bill No. 323 was ordered transmitted immediately to the Senate.

## REPORTS OF STANDING COMMITTEES

September 8, 1973

HOUSE BILL NO. 356, Prime sponsor: Representative Conner, Memorial Day, Veterans' Day, dates, reported by Committee on State Government.

MAJORITY recommendation: That the Governor's veto be overridden by the House of Representatives.

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Ehlers, Gaines, Hurley, Lysen, Moon, Thompson.

The Speaker (Mr. O'Brien presiding): "Message received."

## STATEMENT FOR THE JOURNAL

I wish to have placed in the record that I am in favor of House Bill No. 356, although not originally a signer of the original House Standing Committee Report.

MARGARET HURLEY, 3rd District.

## MOTION

Mr. Conner moved that House Bill No. 356 do pass the House notwithstanding the veto of the Governor.

Representatives Conner and Hurley spoke in favor of the motion, and Representatives Newhouse, Brown and Hoggins spoke against it.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Conner that House Bill No. 356 do pass the House notwithstanding the veto of the Governor, and the motion was carried by the following vote: Yeas, 65; nays, 30; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines,

Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barden, Berentson, Blair, Brown, Charnley, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hoggins, Juelling, Julin, Kopet, Kraabel, Leckenby, Matthews, May, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Rabel, Sommers, Swayze.

Not voting: Representatives Bluechel, Hendricks, Smythe.

House Bill No. 356, notwithstanding the Governor's veto, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Conner moved that House Bill No. 928 do pass the House notwithstanding the veto of the Governor.

Mr. Charette spoke in favor of the motion.

#### POINT OF ORDER

Mr. Swayze: "Mr. Charette has far exceeded the three-minute limit."

The Speaker (Mr. O'Brien presiding): "The point of order is well taken."

Representatives Pardini and Hurley spoke against the motion to override the Governor's veto.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Williams.

Mr. Williams: "Representative Charette, do you have any information which would indicate that the Liquor Board does not act in a manner that complies with their own regulations?"

Mr. Charette: "Yes, Mr. Williams. In May of this year, the State Auditor released a report in which he noted that of the 900 restaurants holding Class H licenses, 67 of those restaurants were not complying. And in an article that appeared in the Daily Olympian on May 15, 1973, where the..."

#### POINT OF ORDER

Mr. Julin: "I don't believe the question and the response has any materiality at all to the question before this body."

The Speaker (Mr. O'Brien presiding): "I believe he is in order. Go ahead, Representative Charette."

Mr. Charette: "Before I was interrupted, I was about to say that one of the members of the board, Mr. Eldridge, had been asked if this report were true, and he said that (and this is a quote) 'Although the above requirements have been set forth, licensees that do not comply with the board policy...' I'm sorry, I have to take that back since this goes in the Journal--this is State Auditor Graham's statement that they are not enforcing. But Mr. Eldridge said, and this is a quote, and I want you to know for sure that this is Mr. Eldridge's quote, not mine--'There are areas where we have made some exceptions primarily at the request of the local people.' Now continuing to quote Don Eldridge: 'Places like queer joints and black-frequented places where it is just impossible to get that kind of a ratio.' End quote, of Don Eldridge, member of the Liquor Control Board."

Mr. Julin spoke against the motion to override the veto of the Governor.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Hoggins.

Mr. Hoggins: "Mr. Pardini, do you know who the local people were, referred to in the remarks of Representative Charette?"

Mr. Pardini: "Mr. Hoggins, I am not familiar with the total quote of Mr. Eldridge which has been introduced here. I read it in the Seattle P.I. However, in conversation with Mr. Eldridge, it is my understanding that when he refers to the local people in that quote his reference is to the police and law enforcement officers charged with the responsibility of police protection in those areas."

Mr. Hoggins: "So he was doing this to help the law enforcement problem then?"

Mr. Pardini: "I believe so."

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Conner that House Bill No. 928 do pass the House notwithstanding the veto of the Governor, and the motion was lost by the following vote: Yeas, 53; nays, 42; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Clémente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Hansen, Haussler, Jastad, Johnson, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Moon, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage,

Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Berentson, Blair, Brown, Chatalas, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Goltz, Hansey, Hayner, Hoggins, Hurley, Juelling, Julin, Kalich, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, May, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Rabel, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representatives Bluechel, Hendricks, Smythe.

House Bill No. 928 having failed to receive the constitutional majority, was declared lost and the Governor's veto was sustained.

#### MOTIONS

On motion of Mr. Conner, House Bill No. 356 was ordered transmitted immediately to the Senate.

On motion of Mr. Conner, the following bills were referred to the Committee on Rules: HOUSE BILL NO. 349, HOUSE BILL NO. 552, SUBSTITUTE HOUSE BILL NO. 53, HOUSE BILL NO. 305, SUBSTITUTE HOUSE BILL NO. 340, SUBSTITUTE HOUSE BILL NO. 445, SUBSTITUTE HOUSE BILL NO. 498, HOUSE BILL NO. 590, HOUSE BILL NO. 704, SUBSTITUTE HOUSE BILL NO. 711, HOUSE BILL NO. 720, HOUSE BILL NO. 9C1, SUBSTITUTE HOUSE BILL NO. 1C05.

#### SENATE AMENDMENTS TO HOUSE BILL

September 11, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 189 with the following amendments:

In line 1 of the title, after "24A.41.130;" strike everything down to and including "(...);" on line 4

Beginning on line 8 of the title, strike all the material down to and including "70.35.070;" on line 16

On page 2, section 1, line 29 beginning with "Notwithstanding" strike all the matter down to and including "years." on page 3, line 1

On page 3, line 2 strike all of section 2 and renumber the remaining sections consecutively

On page 4, section 3, line 5 after "after" and before the period strike "January 1, 1975" and insert "July 1, 1974"

On page 4, beginning on line 17 strike all of sections 5, 6, 7 and 8 and renumber the remaining sections consecutively

On page 8, section 9, line 7 after "one-" and before "cents" strike "((half)) quarter" and insert "half" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.



## MOTIONS

Ms. Sommers moved that the House do not concur in the first five amendments and the last amendment and that the Senate be asked to recede therefrom.

The motion was carried.

On motion of Ms. Sommers, the House concurred in the Senate amendment to page 4, beginning on line 17, striking all of sections 5, 6, 7 and 8.

## MOTION

On motion of Mr. Thompson, the House dispensed with further business under the Call of the House.

## SENATE AMENDMENTS TO HOUSE BILL

September 12, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 190 with the following amendments:

On page 1, line 2 of the title after "RCW 84.69.050;" insert "amending section 84.69.060, chapter 120, Laws of 1957 as last amended by chapter 15, Laws of 1961 and RCW 84.69.060;"

On page 1, section 1, line 13 after "a" strike all the matter down to and including "order" on line 14 and insert "statewide refund of tax funds pursuant to state levies is required"

On page 1, following section 1, line 19 add a new section as follows:

"Sec. 2. Section 84.69.060, chapter 120, Laws of 1957 as last amended by chapter 15, Laws of 1961 and RCW 84.69.060 are each amended to read as follows:

Refunds ordered under this chapter with respect to county and state taxes shall be paid by checks drawn upon the appropriate fund by the county treasurer: PROVIDED, That in making refunds on a county or district wide basis, the county treasurer may make an adjustment on the next property tax payment due for the amount of the refund unless the taxpayer requests immediate refund."

Re-number the remaining sections consecutively

On page 2, section 2, line 2 after "costs" and before "incurred" insert "including interest paid on the refunds"

On page 2, section 3, line 24 before "refunds" strike "mass"

On page 2, section 3, line 24 after "basis" and before "shall" insert "during 1973"

On page 2, section 3, line 26 after "court." insert "No written protest by individual taxpayers need to be filed to receive a refund pursuant to this 1973 amendatory act."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Ms. Sommers, the House concurred in the Senate amendments to Engrossed House Bill No. 190.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 190 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 190 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yeay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Bauer, Bluechel, Hendricks, Kopet, Lysen, Smythe.

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

## SENATE AMENDMENTS TO HOUSE BILL

September 12, 1973

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 221 with the following amendments:

In section 1, line 9 after "the" and before "value" insert "face"

In section 1, line 11 after "a" strike all the matter down to and including "both," on line 12 and insert "gross misdemeanor"

In section 1, line 13 after "the" and before "value" insert "face"

In section 1, line 14 after "a" strike all the matter down to and including the period on line 16 and insert "misdemeanor."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTIONS

Mr. Knowles moved that the House do not concur in the second and fourth Senate amendments and that the Senate be asked to recede therefrom.

The motion was carried.

On motion of Mr. Knowles, the House concurred in the first and third Senate amendments to Substitute House Bill No. 221.

MOTION

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

REPORTS OF STANDING COMMITTEES

September 14, 1973

HOUSE BILL NO. 499, Prime sponsor: Representative Bagnariol, adopting the operating budget, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

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

"NEW SECTION. Section 1. The following appropriation is hereby adopted for the purpose of funding necessary legal actions to ensure that the claims made by the state to the United States department of health, education and welfare on October 24, 1972, for reimbursement of costs legally and properly incurred by the state for social services rendered for the benefit of eligible persons in the state of Washington for needed social services in the amount \$32,876,903 is sustained:

FOR THE OFFICE OF THE ATTORNEY GENERAL  
General Fund Appropriation: PROVIDED, That the the Attorney General, recognizing that the Legislature of the State of Washington believes that the United States, department of health, education and welfare has not only enacted illegally in abrogating a valid contract in a wilful and capricious manner and, further, have by their arbitrary and capricious denial of this valid claim placed the State of Washington and its social services programs in financial jeopardy will periodically advise the ways and means committees of the House and Senate of their progress on and the standing of legal actions taken of his office.....\$ 15,000.00

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

On page 1, line 3 of the title after "1975" insert a comma and strike all material down to and including "appropriations;" on line 4

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Barden, Blair, Brown, Charette, Ehlers, Gaspard, Goltz, Hoggins, Kilbury, Kopet, Luders, Moon, Newhouse, North (Frances), North (Lois), Polk, Smith, Sommers, Valle, Warnke.

MOTION

On motion of Mr. Thompson, House Bill No. 499 was placed on today's second reading calendar.

September 14, 1973

HOUSE BILL NO. 1128, Prime sponsor: Representative Luders, enacting the property tax relief and basic program of education financial equalization act of 1971, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

On page 6, section 5, line 6 after "the" strike "immediately preceding" and insert "1973-74 base"

On page 6, section 5, line 12 after "than" strike "one" and insert "two"

Signed by Representatives Bagnariol, Chairman; Randall, Vice Chairman; Barden, Bausch, Blair, Brown, Charette, Chatalas, Ehlers, Flanagan, Gaspard, Goltz, Hoggins, Kilbury, King, Kopet, Luders, Morrison, North (Frances), North (Lois), Pardini, Smith, Sommers, Valle, Warnke.

MOTION

On motion of Mr. Thompson, House Bill No. 1128 was placed on today's second reading calendar.

September 14, 1973

SUBSTITUTE SENATE BILL NO. 2387, Prime sponsor: Senator Bailey, implementing the law relating to public employees' retirement, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Curtis, Ehlers, Gaines, Kopet, Lysen, Moon, Perry.

MOTION

On motion of Mr. Thompson, Substitute Senate Bill No. 2387 was placed on today's second reading calendar.

September 14, 1973

REENGROSSED SENATE BILL NO. 2516, Prime sponsor: Senator Atwood, making certain changes in laws relating to dispersal of funds, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Curtis, Ehlers, Gaines, Hurley, Kopet, Moon, Perry.

## MOTION

On motion of Mr. Thompson, Reengrossed Senate Bill No. 2516 was placed on today's second reading calendar.

## MOTION

On motion of Mr. Thompson, House Bill No. 1128 was placed at the top of today's second reading calendar for immediate consideration.

## SECOND READING

HOUSE BILL NO. 1128, by Representatives Luders, Bagnariol, Brown, Clemente, Bauer, Hoggins, Smythe and Warnke (by Superintendent of Public Instruction request):

Enacting the property tax relief and basic program of education financial equalization act of 1971.

Committee on Ways and Means recommendation: Majority, do pass as amended.

The bill was read the second time.

On motion of Mr. Luders, the committee amendment to page 6, line 6 was adopted.

Mr. Luders moved adoption of the committee amendment to page 6, line 12.

Representatives Morrison and Luders spoke in favor of the amendment and Mr. Hoggins spoke against it.

The committee amendment was adopted on a rising vote.

Mr. Kopet moved adoption of the following amendment: On page 2, section 1, line 3 after "the" and before "basic" strike "property tax relief and"

Representatives Kopet and Blair spoke in favor of adoption of the amendment, and Representative Hoggins spoke against it.

The amendment by Mr. Kopet to House Bill No. 1128 was adopted on a rising vote.

Mr. Kopet moved adoption of the following amendment by Representatives Kopet and Shinpoch:

On page 6, section 5, line 12 after "percent" insert "from the immediately preceding school year's full time equivalent enrollment"

Representatives Kopet, Luders and Shinpoch spoke in favor of adoption of the amendment, and Representatives Brown and Hoggins spoke against it.

The amendment by Representatives Kopet and Shinpoch to House Bill No. 1128 was adopted on a rising vote.

The Speaker assumed the Chair.

Mr. Shinpoch moved adoption of the following amendment to House Bill No. 1128:

On page 6, section 5, line 10 after "instruction:" strike all material down to and including "purposes:" on line 17

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

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

Mr. Luders spoke against adoption of the amendment.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Mr. Shinpoch, would you clarify the effect of removing the proviso which starts on line 10, page 6?"

Mr. Shinpoch: "Thank you, Representative Douthwaite. If you take the converse of this, of course, the two percent--what it says is that we shall guarantee that their enrollment will not be less than ninety-eight percent, to kick in this clause. I believe that Seattle is somewhere around 95.8 percent this year. I read that figure a short time ago. I think it is 95.84 percent. It would still come under this. We are only covering five schools here, and for those five school districts, we are talking about \$31.3 million."

Mr. Douthwaite: "Thank you, but I don't think that answers my question. The question is the impact of this proviso. But if you take the proviso out, if you are losing enrollment as Seattle is, the money you receive is based on the previous year's enrollment. Period. With this proviso in, it indicates that the amount you receive is reduced by one-half of the difference if you are below ninety-eight percent. I think you are not doing what you think you are doing."

Mr. Shinpoch: "I suppose that is always possible. Obviously, this section has more problems with it than anything else, if you look at the number of amendments on it. Almost all the time was spent on it in Ways and Means this morning. If the experts from the Office of the Superintendent of Public Instruction are correct, this particular proviso provides a base which guarantees 'X' amount of money. If you take that out, then they have their actual enrollment. I don't know how to tell you anything other than that."

Representatives Brown, King, Hoggins and Randall spoke against adoption of the amendment, and Representative Bagnariol spoke in favor of it.

Mr. Rabel demanded the previous question and the demand was sustained.

#### PARLIAMENTARY INQUIRY

Mr. Shinpoch: "Under our rules today, does the maker of the motion have an opportunity to close debate?"

The Speaker: "Only on the question of final passage, not on an amendment, Mr. Shinpoch."

#### MOTION

Mrs. Hurley moved that Representative Shinpoch be granted the opportunity to close debate.

The Speaker: "You would have to suspend the rules, Representative Hurley."

Mrs. Hurley: "Will Mr. Shinpoch yield to a question?"

The Speaker: "I'm sorry, the previous question has been demanded."

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Shinpoch to House Bill No. 1128, and the amendment was lost by the following vote: Yeas, 9; nays, 85; not voting, 4.

Voting yea: Representatives Bagnariol, Benitz, Berentson, Flanagan, Hansen, Hansey, Lysen, May, Shinpoch.

Voting nay: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage,

Schumaker, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bluechel, O'Brien, Smythe, Swayze.

Mr. Polk moved adoption of the following amendment:  
On page 6, section 5, line 22 after "year" and before the colon insert "for such school district"

Representatives Polk and Luders spoke in favor of adoption of the amendment.

The amendment by Mr. Polk to House Bill No. 1128 was adopted.

Mr. Cunningham moved adoption of the following amendment:

On page 6, section 5, line 25 after "state" and before the period insert ": PROVIDED FURTHER, That it is the intention of the legislature to insure a funding base per enrolled pupil each successive appropriation that provides a minimum support of that equal to the proportion of total local districts revenue from state, local, and federal sources in 1973-74 to total state revenue including all sources in 1973-74 adjusted for enrollment fluctuations in future years"

Mr. Cunningham spoke in favor of the amendment and Mr. Luders spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Cunningham to House Bill No. 1128, and the amendment was lost by the following vote: Yeas, 3; nays, 84; not voting, 11.

Voting yea: Representatives Cunningham, Eikenberry, Hoggins.

Voting nay: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bagnariol, Bluechel, Curtis, Julin, Kopet, May, Pardini, Smythe, Swayze, Wilson, Zimmerman.



House Bill No. 1128 was ordered engrossed.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed House Bill No. 1128 was placed on final passage.

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

POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Luders, you indicated this morning in Ways and Means Committee certain figures that had been projected as far as the yield of HJR 37 if passed by the people. We have also heard there are not enough dollars there to support basic education. Would you please, for the record, indicate that according to the definition of basic education as included in this act, and the formula for distribution included therein, that there is or is not sufficient money to support basic K-12 education for a period of years ahead of us."

Mr. Luders: "Based upon the projected estimates by the Department of Revenue, there will be sufficient money derived from HJR 37 to fully fund education as embraced in this formula, and also there will be a surplus left over if the legislature decides in its wisdom to spend it on other state needs. This will not take up all of the revenue that will be derived from HJR 37 if it passes. So education will take up some. We are replacing the \$444 million in special millages, but the legislature will have an opportunity to make some decisions as to what it wants to do with the remainder."

Representatives Polk, Shinpoch, Warnke and Hoggins spoke in favor of passage of the bill.

Mr. Luders spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1128, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel,

Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wjahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative May.

Not voting: Representatives Bluechel, Smythe.

Engrossed House Bill No. 1128, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Luders, Engrossed House Bill No. 1128 was ordered transmitted immediately to the Senate.

#### MOTION

Mr. Thompson moved that the following bills on the second reading calendar be considered in the following order: ENGROSSED SENATE BILL NO. 2300, SUBSTITUTE SENATE BILL NO. 2377, ENGROSSED SENATE BILL NO. 2947, SENATE BILL NO. 2642, ENGROSSED HOUSE BILL NO. 1047, SUBSTITUTE SENATE BILL NO. 2387, REENGROSSED SENATE BILL NO. 2516, HOUSE BILL NO. 499, ENGROSSED HOUSE BILL NO. 530, HOUSE BILL NO. 582, HOUSE BILL NO. 670.

The motion was carried.

ENGROSSED SENATE BILL NO. 2300, by Senators Woody, Clarke and Van Hollebeke:

Permitting the use of electronic data processing system in selecting juries.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Reports of Standing Committees, today's Journal, morning session.)

The bill was read the second time.

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

On motion of Mr. Conner, the second reading was considered the third, and Engrossed Senate Bill No. 2300 as amended by the House was placed on final passage.

Representatives Knowles and Eikenberry spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2300 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Hoggins, Kilbury, Pardini.

Not voting: Representatives Bluechel, Douthwaite, Kopet, Smythe, Tilly.

Engrossed Senate Bill No. 2300 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

SUBSTITUTE SENATE BILL NO. 2377, by Committee on Constitution and Elections (Originally sponsored by Senators Grant and Stortini):

Implementing the laws relating to United States Congressional elections.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendments, see Reports of Standing Committees, today's Journal, morning session.)

The bill was read the second time.

On motion of Mr. King, the committee amendments to page 2 and to page 3 were adopted.

#### MOTION

On motion of Mr. Thompson, the House deferred further consideration of Substitute Senate Bill No. 2377 on second reading, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 2947, by Judiciary Committee (Endorsed by Senators Atwood, Clarke, Bottiger, Van Hollebeke, Woodall, Francis, Dore and Twigg):

Changing the effective date of laws relating to new commitment procedures for mentally disordered persons.

## MOTION

On motion of Mr. Thompson, the House deferred further consideration of Engrossed Senate Bill No. 2947, and the bill was ordered placed at the bottom of today's second reading calendar.

SENATE BILL NO. 2642, by Senators Durkan, Walgren and Guess:

Providing for the acquisition of parking facilities by the state highway commission.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Reports of Standing Committees, yesterday's Journal, September 13, 1973.)

The bill was read the second time.

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

On motion of Mr. Conner, the second reading was considered the third, and Senate Bill No. 2642 as amended by the House, was placed on final passage.

Mr. Perry spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Julin.

Mr. Julin: "Representative Perry, considering now the second committee amendment, do I understand that one of the thrusts of this measure if we pass it now would be that the State Highway Commission would be the determining body as to where these parking locations are to be?"

Mr. Perry: "No, that is not the thrust of the amendment. I think I might explain for the benefit of the members here in answer to your question, that last January in our highway budget, we appropriated money to obtain some park and ride lots. At that time there were 25 proposed park and ride lots in the highway budget. They were demonstrated to the members of the Transportation and Utilities Committee in the highway budget. They showed us where the lots were going to be. The members voted on that proposal and it subsequently got ready to be funded to buy the lots. A couple of weeks ago, Senator Durkan, Representative Bagnariol and myself attended a meeting with the Metropolitan Council people in Seattle. They proposed 50 parking lots. At that juncture, I said (and Mr. Andrews said), 'We don't know what you are doing here. What we did was appropriate money for 25 parking lots, and when we appropriate money in this legislature it has to be spent for what we appropriate it for--not for some other project.' That is my understanding at least, that I have

with the Attorney General on this and several other matters that came up this way. This amendment merely says that when we give you money to buy a parking lot--that before you buy the parking lot: Number one, the Highway Commission has to know it is acceptable to the state system. You can't just put a park and ride lot anyplace you want because the main thrust of this is to get people to ride the metro buses but at the same time not to impede the state highway system. In other words, you have to have the concurrence of the Highway Commission saying that is not an inopportune spot as far as the Highway Department is concerned. It is not to keep them from buying wherever they want to buy, or to interfere unduly in their business, but it is to make sure our business in the state, the Highway Department's business, is expeditiously and effectively carried out."

Mr. Julin: "A further question, Representative Perry. Thank you for that answer, but would the practical operation of this bill be that any site selected for the park and ride system would then have to have the prior approval of the State Highway Commission before the funds can be expended for that purpose?"

Mr. Perry: "Yes."

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2642 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bluechel, Ceccarelli, Hayner, Knowles, Kopet, Smythe, Sommers, and Mr. Speaker.

Senate Bill No. 2642 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

My voting button malfunctioned and I was shown as not voting. I wish to vote "yea" on Senate Bill No. 2642.  
DAVE CECCARELLI, 34th District.

## MOTION

On motion of Mr. Thompson, the House recessed until 8:00 p.m.

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EVENING SESSION  
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The House was called to order at 8:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bluechel and Smythe who were excused.

## MOTION

Mr. Thompson moved that the House immediately consider Substitute Senate Bill No. 2377 and Engrossed Senate Bill No. 2947.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 2377, by Committee on Constitution and Elections (Originally sponsored by Senators Grant and Stortini):

Implementing the laws relating to United States Congressional elections.

The House resumed consideration of Substitute Senate Bill No. 2377. (See today's Journal, afternoon session, for previous action.)

On motion of Mr. King, the committee amendment to the title was adopted.

On motion of Mr. Conner, the second reading was considered the third, and Substitute Senate Bill No. 2377 as amended by the House was placed on final passage.

Mr. King spoke in favor of passage of the bill, and Mr. Newhouse spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2377 as amended by the House, and the bill passed the House by the following vote: Yeas, 55; nays, 19; not voting, 24.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Barden, Benitz, Berentson, Eikenberry, Flanagan, Gilleland, Hoggins, Jueling, Kuehnle, Matthews, Morrison, Newhouse, Pardini, Paris, Patterson, Pullen, Schumaker, Tilly, Wilson.

Not voting: Representatives Amen, Blair, Bluechel, Brown, Cunningham, Curtis, Freeman, Garrett, Hansey, Hayner, Hendricks, Julin, Kopet, Kraabel, Leckenby, McCormick, Nelson, North L., Polk, Rabel, Smythe, Swayze, Wojahn, Zimmerman.

Substitute Senate Bill No. 2377 as amended by the House, having received the constitutional 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. 2947, by Judiciary Committee (Endorsed by Senators Atwood, Clarke, Bottiger, Van Hollebeke, Woodall, Francis, Dore and Twigg):

Changing the effective date of laws relating to new commitment procedures for mentally disordered persons.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Reports of Standing Committees, today's Journal, morning session.)

The bill was read the second time.

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

On motion of Mr. Conner, the second reading was considered the third, and Engrossed Senate Bill No. 2947 as amended by the House, was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Swayze yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Swayze, I have a letter from the Prosecuting Attorney of Chelan County regarding this bill. He is concerned with implementation on January 1st, that in our area we would not have a place to refer these mental patients. I didn't quite understand--are you saying that this bill does not implement?"

Mr. Swayze: "Well, this bill, as it stands here, makes some technical corrections in the bill itself--some adjustments in the bill which we can discuss. There are certain provisions in the bill which require local facilities to be provided. In fact, one of the major ones is that no longer on January 1st will persons who are going to have a commitment hearing--it is prohibited that they be held in jail. Now we were assured in the House Judiciary Committee, because this was a major concern, that there would be nonjail facilities available in every county by the implementation date. The chairman of the committee, Walt Knowles, asked the representatives of DSHS that question specifically and got a specific, direct answer 'yes' that there would be, in every county, proper facilities for these patients."

Mr. Tilly spoke against the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2947 as amended by the House, and the bill passed the House by the following vote: Yeas, 80; nays, 8; not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Flanagan, Hansen, Haussler, Knowles, Luders, Schumaker, Tilly, Zimmerman.

Not voting: Representatives Blair, Bluechel, Brown, Juelling, Julin, May, North L., Savage, Smythe, Wilson.

Engrossed Senate Bill No. 2947 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

September 14, 1973

Mr. Speaker:

The President has signed:

    SUBSTITUTE SENATE BILL NO. 2956,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.



## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SUBSTITUTE SENATE BILL NO. 2956.

## SECOND READING

ENGROSSED HOUSE BILL NO. 1047, by Representatives Newhouse, Haussler and Pardini:

Regulating the interest rate upon public funds held as time deposits.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal for third day, 2nd ex. sess., September 10, 1973.)

The bill was read the second time.

Mr. Ceccarelli moved adoption of the committee amendment beginning on page 1 of the bill.

Mr. Eikenberry moved adoption of the following amendment to the committee amendment:

On page 1, strike all of section 1 and insert the following:

"NEW SECTION. Section 1. There is added to chapter 39.58 RCW a new section to read as follows:

A treasurer may invest public deposits with a qualified thrift depository after such depository has pledged and delivered to such treasurer, to guarantee the repayment of such public deposits, bonds and warrants which are the direct and general obligation of the state of Washington or of any city, town, county, school district, port district or any political subdivision of this state having the power to levy general taxes and on which there has not been a default in the payment of principal or interest: PROVIDED, That such segregation and pledge of securities shall have an aggregate market value of not less than the public deposit so secured."

Mr. Eikenberry spoke in favor of adoption of the amendment to the amendment.

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

Representatives Newhouse and Gaspard spoke against adoption of the amendment to the amendment, and Mr. Eikenberry spoke again in favor of its adoption.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Eikenberry to the committee amendment to Engrossed House Bill No. 1047, and the amendment to the amendment was lost by the following vote: Yeas, 18; nays, 70; not voting, 10.

Voting yea: Representatives Amen, Bagnariol, Cunningham, Curtis, Eikenberry, Flanagan, Garrett,

Gilleland, Hansen, Hansey, Hoggins, Juelling, Kopet, Polk, Pullen, Shinpoch, Van Dyk, Zimmerman.

Voting nay: Representatives Adams, Anderson, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Schumaker, Smith, Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Benitz, Bluechel, Brown, Kuehnle, Matthews, May, Morrison, Pardini, Smythe, Swayze.

With the consent of the House, Mr. Eikenberry withdrew the remainder of his amendments.

Mr. Douthwaite moved adoption of the following amendment to the committee amendment:

On page 2, section 3, line 31 after "investment deposits" insert a period, strike the remainder of the section and insert "(: PROVIDED; That time deposits issued pursuant to this chapter shall bear interest at a rate which would not be in excess of one hundred percent of the average bill rate at the last U.S. treasury 91-day bill market auction or in excess of the maximum rate permitted by any applicable governmental regulation-))"

Mr. Douthwaite spoke in favor of the amendment to the amendment, and Mr. Ceccarelli spoke against it.

#### RULING BY THE SPEAKER

The Speaker: "Representative Ceccarelli, please confine your remarks to the merits of the amendment."

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

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

Mr. Eikenberry spoke against adoption of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Gaspard.

Mr. Gaspard: "Representative Pardini, one of the reasons for amending the bill the way we did to include all financial institutions--savings and loan and mutual savings banks--was to treat all financial institutions equally. And as I read Mr. Douthwaite's amendment, there could be a possibility of a discrepancy of interest rate. Could you comment on that?"

Mr. Pardini: "Representative Gaspard, I am reading it, and I am trying to read it as a technician. It would appear to me that there is a possibility that on amounts under \$100,000, if this amendment were adopted, that the savings and loans and mutual savings banks could pay a slightly higher rate. I think it is a quarter of one percent under regulation 'Q,' and on amounts under \$100,000 would have a competitive advantage over commercial banks. To further clarify, on amounts over \$100,000, there are no limits at the present time and everyone then is in the same competitive situation."

Mr. Gaspard spoke against adoption of the amendment to the amendment, and Mr. Douthwaite spoke again in favor of its adoption.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Douthwaite to the committee amendment to Engrossed House Bill No. 1047, and the amendment to the amendment was lost by the following vote: Yeas, 11; nays, 81; not voting, 6.

Voting yea: Representatives Charnley, Douthwaite, Johnson, Jueling, Lysen, North F., Shinpoch, Smith, Tilly, Valle, Williams.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Sommers, Swayze, Thompson, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bluechel, Brown, Kuehne, Morrison, Pardini, Smythe.

Mr. Kopet moved adoption of the following amendment to the committee amendment:

On page 2, section 3, beginning on line 29 strike all the material down to and including "regulation." on page 3, line 3 and insert the following:

"The public deposit protection commission shall from time to time fix the rate of interest to be paid by qualified public depositories upon investment deposits: PROVIDED, That time deposits issued pursuant to this chapter shall bear interest at a rate which would not be in excess of one hundred percent of the average bill rate at the last U.S. treasury 91-day bill market auction for certificates of deposits having maturities of 120 days or less; or a rate not in excess of one hundred percent of the average bill rate at the last U.S. treasury 182-day bill market auction for maturities over 120 days or in excess of the maximum rate permitted by any applicable governmental

regulation.

NEW SECTION. Sec. 4. There is added to chapter 39.58 RCW a new section to read as follows:

The legislature, recognizing the substantial benefit to accrue to the state and its political subdivisions, declares it to be the public policy of this state to prefer in-state investment of all public funds available for investment. The public deposit protection commission shall publish from time to time, for the guidance of all public fund treasurers, appropriate criteria and instructions consistent with such public policy to promote and encourage such in-state investment."

Renumber the remaining sections consecutively.

Mr. Kopet spoke in favor of adoption of the amendment to the amendment, and Mr. Newhouse spoke against it.

#### PARLIAMENTARY INQUIRY

Mr. Blair: "Mr. Speaker, in looking very carefully at Representative Kopet's amendment, it strikes me that there are two sections which are basically dealing with completely separate issues, and I have a parliamentary inquiry I would like to direct to you, Mr. Speaker. Is it possible at this point in our proceedings to divide the question on this amendment by Representative Kopet, so that we vote on the two sections that he is inserting separately?"

The Speaker: "Representative Blair, in the Speaker's mind, these matters are so separate they probably should have been considered separately anyway. Therefore the Speaker will divide the question for you, since they are of such a nature they probably should be considered separately."

#### DIVISION OF QUESTION

The Speaker stated the question before the House to be the amendment by Mr. Kopet to page 2, section 3, beginning on line 29 of the committee amendment.

Mr. Gaspard spoke against adoption of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Julin.

Mr. Julin: "Representative Ceccarelli, when we were dealing with the income tax measure, we went up and down, through and around and in between the Internal Revenue Code. We got all tangled up in it, and yet on a prior amendment you spoke the simple words, 'This industry is regulated by regulation "Q"' and you got an overwhelming vote. What is it that is so magic about that? I don't know what you are talking about."

Mr. Ceccarelli: "Regulation 'Q' is set forth by the federal government so that commercial banks and thrift institutions can pay up to the amount of pass book savings for interest."

Mr. Eikenberry spoke in favor of adoption of the amendment to the amendment.

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

#### POINT OF INQUIRY

Mr. Gaspard yielded to question by Mr. Kelley.

Mr. Kelley: "Representative Gaspard, what kind of services are we really talking about in reference to Representative Eikenberry's last remarks?"

Mr. Gaspard: "Again, to set this in perspective, relying on statistics from the quarter ending June 30, 1973, there are \$555 million of public funds. Out of that \$555 million, \$183 million were in demand deposits, bearing no interest on them whatsoever. Now one of the reasons given against this bill is that it is going to eliminate some competition, and also that we are not going to get some services that the state now receives from commercial banks. These services are cashing of warrants, and this is reflected in the lower interest rate that the state receives for public funds. As you can see, \$183 million not earning any interest at all certainly outweighs any amount of services that we should be paying for. What I think--let's bring this all out in the open--let's let our public funds earn the interest rates that the private sector will earn, in excess of what they are getting now. And if they have to, let them negotiate with the banks for these extra services. I say let's bring it out in the open."

Mr. Ceccarelli spoke against adoption of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Barden: "Mr. Speaker, would Representative Gaspard yield to question?"

Mr. Gaspard refused to yield to question.

Representatives Barden and Zimmerman spoke in favor of the amendment to the amendment.

Mr. Luders demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kopet to page 2, line 29 of the committee amendment to Engrossed House Bill No. 1047, and the amendment to the amendment was lost by the following vote: Yeas, 24; nays, 67; not voting, 7.

Voting yea: Representatives Amen, Barden, Brown, Curtis, Eikenberry, Eng, Flanagan, Gilleland, Hansen, Hoggins, Jueling, Kopet, Kuehnle, Laughlin, Matthews, Maxie, Pullen, Randall, Schumaker, Shinpoch, Tilly, Van Dyk, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Leckenby, Luders, Lysen, Martinis, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Rabel, Savage, Smith, Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bluechel, Cunningham, Hansey, May, Pardini, Smythe, Swayze.

The Speaker stated the question before the House to be the amendment by Mr. Kopet adding a new section 4 to the committee amendment to Engrossed House Bill No. 1047.

Representatives Kopet, Leckenby and Blair spoke in favor of the amendment to the amendment, and Representative Ceccarelli spoke against it.

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

## POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Bausch.

Mr. Bausch: "Dave, I am referring to the lines 'declares it to be the public policy of this state to prefer in-state investment of all public funds available for investment.' Realizing this may set up somewhat of a mandate or a legislative mandate to invest only in the state of Washington, I am interested to know--do the public funds invested in the banks of the state of Washington accrue a certain amount of interest--do they in turn then invest that money possibly again out of the state?"

Mr. Ceccarelli: "Yes."

Mr. Bausch: "We are being asked to invest our money in the state, but they in turn can go out of the state or whatever?"

Mr. Ceccarelli: "Yes, that is common knowledge. The real problem with putting this public policy (and

really probably Representative Charette should be speaking to this since he did it so well in 1969) but when you put public policy in there, you are going to go to your county treasurer, or you are going to go to your port commission, or you are going to go to your PUD, and you are going to say: 'Why is it they are paying six percent interest outside the state on a treasury bond, and they are only paying four percent in the state of Washington? Why is it you are investing the money in the state of Washington? Why don't you go and get that extra two points?' And he is going to pull out the law and say, 'See right here, it says wherever possible the public policy shall be that we shall invest in-state.' And this is where he is going to have you, because he is going to have something to hang his hat on. And this is why we have defeated this type of amendment before in similar legislation, and this is why I would like to see this amendment defeated this evening. I think it is very dangerous, because if you are going to make those public servants responsive to the people, I think you have to start out very carefully. Especially when they are dealing with, as of this morning, \$375 million of public funds in the state of Washington. That is no small matter, and that is why this whole country is shook up on financial institutions, and that's why our great Congressman from Texas, Wright Patman--when the bankers even his name they kind of shudder."

Representatives Bausch and Parker spoke against adoption of the amendment to the amendment, and Representative Barden spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kopet adding a new section 4 to the committee amendment to Engrossed House Bill No. 1047, and the amendment to the amendment was lost by the following vote: Yeas, 39; nays, 53; not voting, 6.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Brown, Curtis, Eikenberry, Ellis, Eng, Flanagan, Freeman, Garrett, Gilleland, Hansey, Juelling, Julin, Kalich, Kilbury, Kopet, Kuehnle, Leckenby, Maxie, Morrison, Nelson, Newhouse, North L., O'Brien, Paris, Pullen, Randall, Schumaker, Shinpoch, Swayze, Tilly, Van Dyk, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kelley, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, McCormick, Moon, North F., Parker, Perry, Rabel, Savage, Smith, Sommers, Thompson, Valle, Warnke, Williams, Wilson.

Not voting: Representatives Bluechel, May, Pardini, Patterson, Polk, Smythe.

The Speaker stated the question before the House to be the committee amendment beginning on page 1 of the bill.

The committee amendment was adopted.

On motion of Mr. Ceccarelli, the committee amendment to the title was adopted.

House Bill No. 1047 was ordered reengrossed.

On motion of Mr. Conner, the second reading was considered the third, and Reengrossed House Bill No. 1047 was placed on final passage.

Representatives Gaspard, Eikenberry and Lysen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 1047, and the bill passed the House by the following vote: Yeas, 76; nays, 16; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Perry, Rabel, Randall, Savage, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Benitz, Brown, Eng, Flanagan, Gaines, Juelling, Kopet, Kuehnle, Maxie, Morrison, Patterson, Polk, Pullen, Schumaker, Wilson, Zimmerman.

Not voting: Representatives Bluechel, Hansey, May, Pardini, Shinpoch, Smythe.

Reengrossed House Bill No. 1047, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Conner, all bills passed by the House during the evening session were ordered transmitted immediately to the Senate.

The Speaker called on Mr. O'Brien to preside.

#### SENATE AMENDMENTS TO HOUSE BILL

September 14, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 458 with the following amendments:



On line 3 of the title after "1970 ex. sess." and before "and" insert "as amended by section 1, chapter 167, Laws of 1973 ex. sess."

On page 1, after section 1, beginning on line 18 strike all of section 2 over to and including the period on page 3, line 15 and insert the following:

"Sec. 2. Section 19, chapter 2, Laws of 1970 ex. sess. as amended by section 1, chapter 167, Laws of 1973 ex. sess. and RCW 50.04.323 are each amended to read as follows:

((1)) Any payments which an individual has claimed, is receiving or has received under a government ((and/)) or ((a)) private retirement pension plan((r)) to which a base year employer has contributed on behalf of such individual((r)) shall ((be deemed remuneration under this title for the purpose of determining eligibility and the amount of weekly benefits to which such an individual is entitled: PROVIDED, That in no event will old age and survivors insurance benefits; under the provisions of Title II of the federal social security act; as amended; serve to reduce an individual's weekly benefit amount: PROVIDED FURTHER, That commencing with benefit years beginning on and after July 1, 1973; retirement pensions which are based in full on wages earned prior to the base year; and which have been applied for and approved; shall not be deemed remuneration for the purposes of this title)) reduce the unemployment compensation payable to him on the following basis:

(1) If such payment, prorated weekly, equals or exceeds the weekly benefit amount to which he would normally be entitled on the basis of his base year earnings then he shall be totally ineligible;

(2) If such payment, prorated weekly, is less than the weekly benefit amount to which he would normally be entitled on the basis of this title and regulations enacted pursuant thereto, his weekly benefit amount shall be reduced by the amount which his prorated weekly pension amount exceeds twelve dollars. The reduced benefit amount so computed, if not a multiple of one dollar, shall be raised to the next higher multiple of one dollar.

Any amounts deducted by reason of this section shall not be available for the payment of future benefits, that is, the individual's total benefit entitlement shall be reduced by the amount of benefits paid plus any amounts deducted pursuant to this section.

Payments received under the old age and survivors insurance program contained in Title II of the federal social security act, as amended, payments received on account of disability rather than on account of age or length of service and, commencing with benefit years beginning on and after July 1, 1973, payments attributable to retirement pensions which are based in full on wages earned prior to the individual's base year shall not operate to reduce an individual's weekly benefit amount.

((2)) Payments claimed or received under a government ((and/)) or a private pension plan shall not be considered wages subject to contributions under this title nor shall such payments be considered in determining base year ((earnings of the individual)) wages.

((3)) In the event that a retroactive ((retirement

or)) pension ((payment)) or retirement plan covers a period in which an individual received benefits under the provisions of this title, the amount in excess ((paid over)) of the amount to which ((he)) such individual would have been entitled had such retirement or pension ((payment)) plan been considered((?)) as provided in ((subsection {4} above;)) this section shall be recoverable under RCW 50.20.190 ((: PROVIDED; HOWEVER; That any amounts which have been deducted from the weekly benefit amount by reason of the provisions of this section shall not be available for future benefits: PROVIDED; FURTHER; That no payments received on account of temporary or permanent disability rather than on account of age or length of service shall be considered compensation paid for personal services))."

On page 3, section 4, lines 32 and 33, after "shall" strike "take effect on July 1, 1973." and insert "apply to weeks of unemployment commencing on or after January 6, 1974."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Savage moved that the House concur in the Senate amendments to House Bill No. 458.

Representatives Savage and Morrison spoke in favor of the motion and the motion was carried.

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

The Speaker stated the question before the House to be the final passage of House Bill No. 458 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 458 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, North F., North L., O'Brien, Paris, Parker, Patterson, Polk, Pullen, Randall, Savage, Schumaker, Shinpoeh, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Bluechel, Jueling, Moon, Newhouse, Pardini, Perry, Rabel, Smythe.

House Bill No. 458 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 2387, by Committee on State Government (Originally sponsored by Senators Bailey, Lewis [Harry], Rasmussen, Peterson [Lowell], Newschwander, Walgren and Durkan - by Public Employees' Retirement Board request):

Making certain revisions in the public employees' retirement system.

The bill was read the second time.

Mr. Charette moved adoption of the following amendment by Representatives Charette and Newhouse:

On page 3, add two new sections as follows:

"Sec. 3. Section 43.43.270, chapter 8, Laws of 1965 as last amended by section 4, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.270 are each amended to read as follows:

(1) The normal form of retirement allowance shall be an annuity which shall continue as long as the member lives.

(2) If a member should die while in service his lawful spouse shall be paid an annuity which shall be equal to fifty percent of the average final salary of the member. If the member should die after retirement his lawful spouse shall be paid an annuity which shall be equal to the retirement allowance then payable to the member or fifty percent of the final average salary used in computing his retirement allowance, whichever is less. The annuity paid to the lawful spouse shall continue as long as she lives or until she remarries. To be eligible for an annuity the lawful surviving spouse of a retired member shall have been married to the member prior to his retirement and continuously thereafter until the date of this death or shall have been married to the retired member at least two years prior to his death.

(3) If a member should die, either while in service or after retirement, his surviving children under the age of eighteen years shall be provided for in the following manner:

(a) Each unmarried child under eighteen years of age shall be entitled to a benefit equal to five percent of the final average salary of the member or retired member. The combined benefits to the surviving spouse and all children shall not exceed sixty percent of the final average salary of the member or retired member.

(4) 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: PROVIDED, That if a beneficiary under this section shall reach the age of twenty-one years during the middle of a term of enrollment the benefit shall continue until the end of said term.

(5) The provisions of this section shall apply to members who have been retired on disability as provided in RCW 43.43.040 if the officer was a member of the Washington state patrol retirement system at the time of such disability retirement and if all contributions paid to the retirement fund have been left in the retirement fund. In the event that contributions have been refunded to a member on disability retirement, he may regain eligibility for survivor's benefits by repaying to the retirement fund the total amount refunded to him plus two and one-half percent interest, compounded annually, covering the period during which the refund was held by him.

**NEW SECTION.** Sec. 4. The following acts or parts thereof are hereby repealed:

(1) Section 43.43.270, chapter 8, Laws of 1965, section 1, chapter 12, Laws of 1969, section 1, chapter ..., Laws of 1973 2nd ex. sess. (Engrossed Senate Bill No. 2112); and

(2) Section 2, chapter ..., Laws of 1973 2nd ex. sess. (Engrossed Senate Bill No. 2112) and the same (Engrossed Senate Bill No. 2112) shall be null and void and superseded by the provisions of this act (Substitute Senate Bill No. 2387) upon the effective date of this 1973 amendatory act.

Renumber the remaining section consecutively.

Representatives Charette and Newhouse spoke in favor of the amendment, and the amendment was adopted.

On motion of Mr. Newhouse, the following amendment to the title was adopted:

In line 4 of the title after "41.40.080;" and before "and" insert "amending section 43.43.270, chapter 8, Laws of 1965 as last amended by section 4, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.270; repealing section 43.43.270, chapter 8, Laws of 1965, section 1, chapter 12, Laws of 1969, section 1, chapter ..., Laws of 1973 2nd ex. sess. (Engrossed Senate Bill No. 2112); repealing section 2, chapter ..., Laws of 1973 2nd ex. sess. (Engrossed Senate Bill No. 2112);"

On motion of Mr. Conner, the second reading was considered the third, and Substitute Senate Bill No. 2387 as amended by the House was placed on final passage.

Representatives Newhouse and Williams spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2387 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bluechel, Jueling, Pardini, Smythe, and Mr. Speaker.

Substitute Senate Bill No. 2387 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, Substitute Senate Bill No. 2387 as amended by the House was ordered transmitted immediately to the Senate.

## MESSAGES FROM THE SENATE

September 14, 1973

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 356 notwithstanding the Governor's veto, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

September 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2603, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

September 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2967, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

September 14, 1973

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 178,

ENGROSSED HOUSE BILL NO. 1126,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SECOND READING

REENGROSSED 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.

On motion of Mr. Conner, the second reading was considered the third, and Reengrossed Senate Bill No. 2516 was placed on final passage.

Representatives Williams and Kopet spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2516, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bluechel, Jueling, Smythe, and Mr. Speaker.

Reengrossed 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.

HOUSE BILL NO. 499, by Representatives Bagnariol and Shinpoch:

Adopting the operating budget.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see today's Journal, afternoon session.)

The bill was read the second time.

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

House Bill No. 499 was ordered engrossed.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed House Bill No. 499 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 499, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bluechel, Flanagan, Hayner, Juelling, Pardini, Smythe, and Mr. Speaker.

Engrossed House Bill No. 499, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

September 14, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1075 with the following amendments:

On page 1, section 1, line 10 after the period strike "It is legislative intent that the" and insert "The"

On page 1, section 1, line 11 after "state" insert "shall"

On page 1, line 11 after "provide" strike "a general"

On page 1, line 11 after "assistance" strike "grant"

On page 1, line 15 after "such" strike "benefits" and insert "program"

On page 2, section 4, line 28 after "submitted" strike "for review and comment to" and insert ", and not"

become effective until approved by"

On page 3, line 12 after the period insert a new section as follows:

"NEW SECTION. Sec. 6. Notwithstanding any other provisions of this act for those individuals who have been receiving supplemental security income assistance and failed to comply with federal requirements relating to drug abuse and alcoholism treatment and rehabilitation shall be required to reapply for state assistance programs to be eligible for state assistance."

Re number the remaining section consecutively and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Parker moved that the House concur in the Senate amendments to pages 1 and 3, that the House do not concur in the Senate amendment to page 2, and that the Senate be asked to recede therefrom.

Representatives Parker and Kopet spoke in favor of the motion and the motion was carried.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 530, by Representatives Van Dyk, Benitz, Kilbury, Amen and Bauer:

Changing the law regulating commission merchants.

#### MOTION

On motion of Mr. Kilbury, Substitute House Bill No. 530 was substituted for Engrossed House Bill No. 530, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 530 was read the second time.

On motion of Mr. Conner, the second reading was considered the third, and Substitute House Bill No. 530 was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Julin.

Mr. Julin: "Representative Kilbury, do I correctly understand the digest that this act will require that there be only one standard statutory form of contract that can be entered into between commission merchants and the people that they do business with?"

Mr. Kilbury: "No, that is not correct, but the Director of Agriculture must approve the contract."



Mr. Julin: "So there will be more than one form, but the Director of Agriculture must approve the type of contracts that can be entered into between parties?"

Mr. Kilbury: "This is correct."

Representative Julin spoke against passage of the bill, and Representatives Van Dyk, Tilly and Newhouse spoke in favor of its passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 530, and the bill passed the House by the following vote: Yeas, 85; nays, 8; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn.

Voting nay: Representatives Cunningham, Eikenberry, Ellis, Garrett, Hendricks, Julin, Kopet, Polk.

Not voting: Representatives Bluechel, Juelling, Smythe, Zimmerman, and Mr. Speaker.

Substitute House Bill No. 530, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Kilbury, Substitute House Bill No. 530 was ordered transmitted immediately to the Senate.

HOUSE BILL NO. 582, by Representatives Martinis, Pardini, Thompson, Charnley and Kraabel:

Providing for the study and preservation of wild, scenic and recreational rivers.

House Bill No. 582 was read the second time.

Mr. Thompson moved adoption of the following amendment by Representatives Iuders, Thompson, North (Lois), Martinis, Smith, Charnley, Zimmerman, Tilly, Hurley, Goltz, Wilson, Douthwaite, Pullen, Nelson, Kraabel, Valle and McCormick:

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

"NEW SECTION. Section 1. There is added to chapter 43.30 RCW a new section to read as follows:

The legislature hereby finds that many rivers of this state, with their immediate environs, possess outstanding natural, scenic, historic, ecological and recreational value. It is hereby declared to be the policy of this state that certain selected rivers of the state which, with their immediate environs, possess the aforementioned characteristics, shall be preserved in as near to free-flowing condition as possible, and that they and their immediate environs shall be preserved in as natural condition as practical.

The purpose of this 1973 act is to implement a policy and procedure for instituting a state wild, scenic and recreational rivers system, indicating the initial components of that system and prescribing a procedure by which additional components may be added to the system from time to time.

NEW SECTION. Sec. 2. There is added to chapter 43.30 RCW a new section to read as follows:

Except as otherwise required by the context, the following terms when used in this 1973 act shall be construed as follows:

(1) 'River' means a flowing body of water or a section, segment or portion thereof.

(2) 'River area' means a river and the land area in its immediate environs as established by the department not exceeding a width of one-quarter mile landward from the ordinary high water on either side of the river.

(3) 'System' means the rivers and associated river areas designated by the legislature and adopted by the committee for inclusion as wild, scenic and recreational rivers.

(4) 'Department' means department of natural resources.

(5) 'Cooperating departments' means the department of game, the department of natural resources, the department of fisheries, the department of ecology, the state parks and recreation commission, the department of highways, the interagency committee for outdoor recreation, the department of agriculture, and a representative of the Washington state association of counties.

(6) 'Committee' means the director of each of the cooperating departments, or his designated representative. The director of the department of natural resources shall serve as chairman of the committee.

(7) 'Visual corridor' means that area which can be seen in a normal summer month by a person of normal vision walking either bank of a river included in the system. Such corridor shall not exceed the river area.

(8) 'Participating local government' means legislative bodies of those city and county governments, a portion of whose bounded territory is included in a river

area of the state wild, scenic and recreational river system.

(9) 'Scenic easement' means the negotiated right to control the use of land including the air space above such land for the purpose of protecting the scenic view throughout the visual corridor.

NEW SECTION. Sec. 3. There is added to chapter 43.30 RCW a new section to read as follows:

The committee shall develop and adopt management policy for the system in accordance with the provisions of chapter 34.04 RCW, as now enacted or hereafter amended. Any variance with such policy shall be approved by a majority of the committee, and shall be made only to alleviate unusual hardships unique to a given segment of the system.

The committee shall also adopt management plans for protecting ecological, recreational, aesthetic, botanical, scenic, geological, hydrological, fish and wildlife, historical, cultural, archaeological and scientific features of the rivers designated in the system.

The committee shall have the right of final determination as to whether or not a river, designated by the legislature as eligible for consideration as part of the system, is to be a part of the system, and shall determine the boundaries which shall define the river area associated with any included river. In making such determination the committee shall define those portions of a river to be included in the system and the classification of the included portions or segments thereof as wild, scenic or recreational. With respect to the six rivers named in section 7 of this 1973 act, the committee shall make such determination within one year of the effective date of this 1973 act.

Before making a decision regarding portions of rivers to be included in the system, the classification of the segments of the included portions, or a variance in policy, the committee shall hold hearings in accord with chapter 34.04 RCW and shall hold at least one public hearing in the general locale of the river which is to be under consideration. The department shall cause to be published in a newspaper of general circulation in the area which includes the river or rivers to be considered, a description, including a map showing such river or rivers, of the material to be considered at the public hearing. Such notice shall appear at least twice in the time period between two and four weeks prior to the public hearing.

Meetings of the committee shall be called by the chairman or by written petition signed by five or more of the committee members.

The committee shall recommend studies and from time to time through its chairman submit to the legislature proposals for additions to the state wild, scenic and recreational rivers system of river areas which fall within one or more of the descriptive classes set out in section 5 of this 1973 act. These proposals shall specify the class or classes of the proposed addition and shall be accompanied by a detailed report approved by the committee on the factors which, in the judgment of the committee, make the area a worthy addition to the system.

NEW SECTION. Sec. 4. There is added to chapter

43.30 RCW a new section to read as follows:

The system shall be administered by the department. The department shall have the responsibility for coordinating the development of the system between affected state agencies and participating local governments, and shall develop and adopt rules and regulations, in accord with chapter 34.04 RCW, the administrative procedure act, for each portion of the system, which shall implement the committee's management policy. In developing rules and regulations for a specific river in the system the department shall hold at least one public hearing in the general locale of the river under consideration. The department shall cause a complete set of proposed rules and regulations to be published in a newspaper of general circulation in the area which includes the river to be considered twice in the period of time between two and four weeks prior to the public hearing.

In addition to any other powers granted hereunder, the department in order to carry out the intent of this 1973 act is authorized, subject to majority approval of the committee, to purchase land in fee or any lesser right or interest in real property, including but not limited to public use and scenic easements and future development rights.

The department is further authorized to acquire by gift, devise, purchase, grant, dedication, or means other than eminent domain, the fee, an option to purchase, a right of first refusal or any other lesser right or interest in real property which shall be held and managed within a wild, scenic or recreational river area and accept grants, contributions, and appropriations from any agency, public or private, or individual for the purposes of this 1973 act.

The department is hereby vested with the power to obtain injunctions and other appropriate relief against violations of any provisions of this 1973 act and any rules and regulations adopted under section 4 of this 1973 act or agreements made under this 1973 act.

All state and local government agencies are hereby directed to pursue policies with regard to their respective activities, functions, powers and duties which are designed to conserve and enhance the conditions of rivers which have been included in the system, in accordance with the management policy and plans adopted by the committee, and in accordance with the rules and regulations adopted by the department for such rivers.

NEW SECTION. Sec. 5. There is added to chapter 43.30 RCW a new section to read as follows:

Rivers of a wild, scenic or recreational nature, as defined below, are eligible for inclusion in the system.

(1) "Wild rivers" are those rivers or sections of rivers of the state which typify as nearly as possible presettled or primitive river environments offering opportunity for low intensity, dispersed recreational activity in a wild setting. Ideally, a wild river:

(a) is free from impoundments, diversions or other artificial modification to the channel or streamway;

(b) has sufficient volume of water in normal years to permit kayaking, canoeing, boating, fishing and other water dependent recreational activities;

(c) has water which meets or is capable of meeting class AA extraordinary standards as defined by WAC 372-12-070 on the effective date of this 1973 act;

(d) has very limited access along the river and has no motor vehicle access visible from the streamway;

(e) has a visual corridor free of evidence of residential or recreational developments;

(f) has a river environment which is natural and primitive;

(g) has an ecosystem capable of sustaining light to moderate recreational activities such as hiking, primitive camping, and fishing.

(2) "Scenic rivers" are river resources that are primarily natural in appearance or partially or predominantly used for agriculture, forest management and other dispersed human activities and which exhibit special environmental qualities, with opportunities for active recreational activities being secondary. Ideally, a scenic river:

(a) has a free-flowing condition, although streamway modifications such as riprapping may be present if they are in harmony with the scenic qualities of the river environment;

(b) has water which meets or is capable of meeting class A excellent standards as defined by WAC 372-12-070 on the effective date of this 1973 act;

(c) has access which enhances public enjoyment of its scenic qualities without unduly detracting from those qualities;

(d) has a dominance of natural characteristics;

(e) has a great amount of undeveloped land and limited agriculture or forestry and recreational developments, such as campgrounds and recreational homesites;

(f) has natural riverscapes and scenic backdrops.

(3) "Recreational rivers" are those rivers possessing natural characteristics but which lend themselves to high intensity water and water-related recreational use. Ideally, a recreational river:

(a) is free-flowing without diversions or impoundments which hinder recreational use;

(b) has water which meets or is capable of meeting class B good standards as defined by WAC 372-12-070 on the effective date of this 1973 act;

(c) contains adequate or potentially adequate public access to and along the river for water and water-related recreational activities;

(d) has potential for maximum public use and enjoyment through intensive participation in general outdoor recreation;

(e) has a pleasant physical setting with adequate open space and natural characteristics.

Any river or any portion thereof included within the system shall be classified by the committee as wild, scenic or recreational, based upon which of the above stated characteristics the river most nearly approximates.

NEW SECTION. Sec. 6. There is added to chapter 43.30 RCW a new section to read as follows:

After inclusion of any river or portion thereof in the wild, scenic and recreational rivers system, no dam or

other construction impeding the natural flow thereof shall be constructed on such river: PROVIDED, That diversions solely for agricultural purposes may be established on scenic or recreational rivers.

Nothing herein shall affect the authority of the department of fisheries and the department of game to construct facilities or make improvements to facilitate the passage or propagation of fish or to exercise other responsibilities vested in them by law in managing fish and wildlife resources.

NEW SECTION. Sec. 7. There is added to chapter 43.30 RCW a new section to read as follows:

The following rivers of the state of Washington are designated for consideration by the committee for inclusion in the wild, scenic and recreational rivers system:

(1) The Grand Ronde river from the Oregon border approximately forty-four miles to its junction with the Snake river, including that portion of the river near Horseshoe Bend, which lies in the state of Washington;

(2) The Yakima river from Keechelus Lake approximately eighty-seven miles to the head of the Santa Roza dam pool;

(3) The Wenatchee river from Lake Wenatchee approximately fifty-four miles to its junction with Icicle creek;

(4) The Methow river from its origin approximately ninety miles to the city of Pateros;

(5) The Kalama river from its origin approximately forty-four miles to its junction with the Columbia river; and

(6) The Klickitat river from the Yakima Indian Reservation approximately fifty-one miles to its junction with the Columbia river.

NEW SECTION. Sec. 8. There is added to chapter 43.30 RCW a new section to read as follows:

Nothing in this 1973 act shall preclude a section or segment of the state wild, scenic or recreational rivers system from becoming a part of the national wild and scenic rivers system.

NEW SECTION. Sec. 9. There is added to chapter 43.30 RCW a new section to read as follows:

The restrictions imposed by the implementation of this 1973 act shall be considered by the county assessor and the department of revenue where applicable in establishing the fair market value of the property affected by this 1973 act.

NEW SECTION. Sec. 10. There is added to chapter 43.30 RCW a new section to read as follows:

If any provision of this 1973 act, or its application to any person or legal entity or circumstances, is held invalid, the remainder of the act, or the application of the provision to other persons or legal entities or circumstances, shall not be affected."

Mr. Zimmerman moved adoption of the following amendment to the amendment:

On page 2, section 2, line 10 after "agriculture" strike ", and" and insert ", department of commerce and economic development"

Mr. Zimmerman spoke in favor of the amendment to the amendment and Mr. Luders spoke against it.

The amendment was not adopted.

The Clerk read the following amendment to the amendment by Mr. Zimmerman:

On page 2, section 2, line 11 after "counties" and before the period insert "the association of Washington cities"

With the consent of the House, Mr. Zimmerman withdrew his amendment.

Mr. Zimmerman moved adoption of the following amendment to the amendment to House Bill No. 582:

On page 3, section 3, line 10 after "ecological," and before "recreational" insert "economic,"

Representatives Zimmerman and Luders spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Zimmerman moved adoption of the following amendment to the amendment:

On page 3, section 3, line 21 after "the" and before "rivers" strike "six" and insert "nine"

#### POINT OF ORDER

Mr. Charnley: "Mr. Speaker, I believe that this amendment is not appropriate for us to consider until we have considered the last amendment on this page. The numbering that Representative Zimmerman is changing is dependent on the adoption of the last amendment on this page, and I suggest we pass by this."

With the consent of the House, consideration of the amendment was deferred.

On motion of Mr. Zimmerman the following amendments to the amendment were adopted:

On page 4, section 4, line 28 after "published" and before "in" insert "twice"

On page 4, section 4, line 30 after "considered" and before "in" strike "twice"

The Clerk read the following amendment to the amendment:

On page 9, section 7, line 4 after "river;" strike "and"

With the consent of the House consideration of the amendment was deferred.

Mr. Zimmerman moved adoption of the following amendment to the amendment:

On page 9, section 7, line 6 after "approximately" strike down to and including "river" on line 7 and insert "thirty miles to its junction with highway 142;

(7) The Humptulips River from its origin to its

intersection with highway 109;

(8) The Carbon River from its origin to its intersection with highway 162;

(9) The Puyallup River from its origin to its intersection with the Puyallup Indian Reservation"

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

#### MOTION

Mr. Luders moved that the question be divided on page 9, section 7, line 6, taking that separately from the remainder of the amendment.

The Speaker (Mr. O'Brien presiding) ruled that the motion was out of order.

Representatives Luders, Anderson, Charnley, Martinis and Tilly spoke against adoption of the amendment to the amendment.

Mr. Van Dyk demanded the previous question, and the demand was sustained.

The amendment by Mr. Zimmerman to the amendment by Representative Luders and others was not adopted.

Mr. Kilbury moved adoption of the following amendment by Representatives Kilbury, Garrett, Hansen and Ellis to the amendment by Representative Luders and others: On page 8, section 7, line 24 after "head of the" strike "Santa"

Representatives Kilbury and Garrett spoke in favor of adoption of the amendment to the amendment.

Mr. Van Dyk demanded the previous question and the demand was sustained.

The amendment by Representatives Kilbury, Garrett, Hansen and Ellis to the amendment was adopted.

The amendment by Representative Luders and others was adopted.

On motion of Mr. Luders, the following amendment to the title was adopted:

On page 1, strike the entire title and insert:  
"AN ACT Relating to wild, scenic and recreational rivers; and adding new sections to chapter 43.30 RCW."

House Bill No. 582 was ordered engrossed.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed House Bill No. 582 was placed on final passage.

Mr. Luders spoke in favor of the bill.



## POINT OF INQUIRY

Mr. Luders yielded to question by Mrs. Wojahn.

Mrs. Wojahn: "I am looking at the bill, Representative Luders, and I noticed on the title amendment there was no suggestion that there be an appropriation made. Is the appropriation in the bill, or is it a line item in the budget? Or is there no appropriation on the bill?"

Mr. Luders: "There is no appropriation now."

Mrs. Wojahn: "None requested yet?"

Mr. Luders: "None requested this session."

Mr. Zimmerman spoke against passage of the bill, and Mr. Thompson spoke in favor of it.

Mr. Van Dyk demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 582, and the bill passed the House by the following vote: Yeas, 67; nays, 25; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Barden, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hayner, Hoggins, Hurley, Jastad, Julin, Kalich, Kilbury, King, Kraabel, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Anderson, Bauer, Benitz, Berentson, Charette, Cunningham, Erickson, Flanagan, Garrett, Hansey, Haussler, Hendricks, Kopet, Kuehnle, Laughlin, Matthews, Morrison, Newhouse, Paris, Polk, Schumaker, Swayze, Wojahn, Zimmerman.

Not voting: Representatives Bluechel, Johnson, Juelling, Kelley, Knowles, Smythe.

Engrossed House Bill No. 582, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 178,  
HOUSE BILL NO. 190,  
HOUSE BILL NO. 458,  
HOUSE BILL NO. 1126.

## MESSAGE FROM THE SENATE

September 14, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 190,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Saturday, September 15, 1973.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, Sept. 15, 1973.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Bluechel and Smythe who were excused.

The Speaker (Mr. Charette presiding) called on Mr. O'Brien to preside.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Robert M. Keller of the Lutheran Church of the Good Shepherd of Olympia:

"Lord, make us aware of the power of Your presence.

Fill today with the promise of peace. Endow us with wisdom to do our task. And give to these women and men, the representatives of our state, Your strength and favor. We pray in Christ's name. Amen."

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

MESSAGES FROM THE SENATE

September 14, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2954, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

September 14, 1973

Mr. Speaker:

The Senate has passed:  
SENATE BILL NO. 2978,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

September 14, 1973

Mr. Speaker:

The Senate has passed:  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2132,  
ENGROSSED SENATE BILL NO. 2494,  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2843,  
SENATE BILL NO. 2983,  
and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

September 14, 1973

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2959,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

September 15, 1973

Mr. Speaker:

The Senate has receded from its amendment to  
ENGROSSED HOUSE BILL NO. 1075, and has passed the bill  
without the Senate amendment on page 2, section 4, line 28,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the  
question before the House to be the final passage of  
Engrossed House Bill No. 1075 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of  
Engrossed House Bill No. 1075 as amended by the Senate, and  
the bill passed the House by the following vote: Yeas, 88;  
nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen,  
Bagnariol, Barden, Bauer, Bender, Benitz, Berentson, Brown,  
Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner,  
Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis,  
Eng, Erickson, Flanagan, Fortson, Freeman, Gaines,  
Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen,  
Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley,  
Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King,  
Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby,  
Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick,  
Moon, Morrison, Nelson, Newhouse, North F., O'Brien,  
Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen,  
Rabel, Randall, Savage, Schumaker, Shinpoch, Smith,  
Sommers, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson,  
Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Anderson, Bausch,  
Beck, Blair, Bluechel, Juelling, North L., Smythe, Swayze,  
Warnke.

Engrossed House Bill No. 1075 as amended by the  
Senate, having received the constitutional majority, was  
declared passed. There being no objection, the title of  
the bill was ordered to stand as the title of the act.

## MESSAGES FROM THE SENATE

September 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to  
ENGROSSED SENATE BILL NO. 2300, and has passed the bill as  
amended by the House.

Bill Gleason, Assistant Secretary.

September 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2387, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

September 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2947, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

September 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2642, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1165, by Representative Kilbury:

AN ACT Relating to the salaries of county officers; and amending section 36.17.020, chapter 4, Laws of 1963 as last amended by section 2, chapter 88, Laws of 1973 1st ex. sess. and RCW 36.17.020.

To Committee on Local Government.

HOUSE BILL NO. 1166, by Representatives Kelley, Rabel, Conner, Blair, Brown, Williams and Smythe:

AN ACT Relating to controlled substances; amending section 69.50.401, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.401; and creating a new section.

To Committee on Judiciary.

HOUSE BILL NO. 1167, by Representative Julin:

AN ACT Relating to civil procedure; and amending section 1, chapter 138, Laws of 1973 1st ex. sess. and RCW

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To Committee on Judiciary.

HOUSE BILL NO. 1168, by Representatives Fortson, Kelley, Bender and Clemente:

AN ACT Relating to controlled substances; defining crimes; providing for mandatory sentencing; adding a new section to chapter 308, Laws of 1971 ex. sess. and

to chapter 69.50 RCW; creating a new section; prescribing penalties; and providing for a referendum by the people.

To Committee on Judiciary.

HOUSE BILL NO. 1169, by Representatives Williams, Chatalas, Conner, Maxie, Brown and Eng (by Asian-American Advisory Council request):

AN ACT Relating to state government; establishing the Washington Commission on Asian-American Affairs; creating a new chapter in Title 43 RCW; making an appropriation; declaring an emergency; and making an effective date.

To Committee on State Government.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2132, by Committee on Local Government (Originally sponsored 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; making an appropriation; prescribing an effective date; and declaring an emergency.

To Committee on Local Government.

ENGROSSED 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.

MOTION

On motion of Mr. Thompson, Engrossed Senate Bill No. 2494 was placed on today's second reading calendar.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2843, by Committee on Local Government (Originally sponsored by Senator Fleming):

AN ACT Relating to local government; authorizing counties, 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.

To Committee on Local Government.

SENATE BILL NO. 2978, by Senators Murray, Washington and Talley:

AN ACT Relating to marine pollution; and adding new sections to chapter 62, Laws of 1970 ex. sess. and to chapter 43.21A RCW.

MOTION

On motion of Mr. Thompson, Senate Bill No. 2978 was placed on today's second reading calendar.

SENATE BILL NO. 2983, by Committee on Social and Health Services (Endorsed by Senators Day, Van Hollebeke, Clarke, Murray, Jones, Connor, Herr, Keefe, Twigg and Francis):

AN ACT Relating to public assistance; and amending section 74.12.010, chapter 26, Laws of 1959 as last amended by section 13, chapter 173, Laws of 1969 ex. sess. and RCW 74.12.010; and declaring an emergency.

## MOTION

On motion of Mr. Thompson, Senate Bill No. 2983 was placed on today's second reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2959, by Committee on Ways and Means (Originally sponsored by Senator Durkan):

AN ACT Relating to property taxes; amending section 84.36.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 64, Laws of 1971 ex. sess. and RCW 84.36.020; 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 84.36.040, chapter 15, Laws of 1961 as last amended by section 119, chapter 154, Laws of 1973 1st ex. sess. and RCW 84.36.040; amending section 84.36.050, chapter 15, Laws of 1961 as last amended by section 2, chapter 206, Laws of 1971 ex. sess. and RCW 84.36.050; amending section 84.36.060, chapter 15, Laws of 1961 and RCW 84.36.060; adding new sections to chapter 84.36 RCW; and declaring an emergency.

## MOTION

On motion of Mr. Thompson, Engrossed Substitute Senate Bill No. 2959 was placed on today's second reading calendar.

## MOTION

Mr. Thompson moved that the following bills be considered in the following order immediately on today's second reading calendar: ENGROSSED SENATE BILL NO. 2494, SENATE BILL NO. 2978, SENATE BILL NO. 2983, ENGROSSED SUBSTITUTE SENATE BILL NO. 2959.

The motion was carried.

## SECOND READING

ENGROSSED SENATE BILL NO. 2494, by Senators Matson and Woodall:

Providing funding for convention centers.

The bill was read the second time.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed Senate Bill No. 2494 was placed on final passage.

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

## POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Douthwaite.



Mr. Douthwaite: "Representative Kilbury, will you tell us whether or not this is another rip-off from the state to support Expo '74 perhaps, or what are we about to be doing here, in more detail, please?"

Mr. Kilbury: "I can only speak, Representative Douthwaite, to the cost in revenue to third class counties. We had a bill in Local Government Committee which did this for third class counties. I think the amount of tax to be raised would amount to somewhere in the neighborhood of \$300,000. Projecting this to all 39 counties, it would probably be in the neighborhood of two or three million dollars."

Mr. Douthwaite: "Does the state underwrite this financing from the counties in any way? Is the state incurring any obligations here, or is this all a county matter? Are there matching funds from the state?"

Mr. Kilbury: "No, there are no possibilities under this legislation that it be financed other than by the municipality which was involved."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2494, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Benitz, Bluechel, Charnley, Hurley, Julin, May, Smythe.

Engrossed Senate Bill No. 2494, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

September 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2942 on page 5 adding a new section 3, and asks the House to recede from its amendments to line 2 of

the title, and to page 5, adding a new section 2, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Conner moved that the House refuse to recede from its amendments to line 2 of the title and to page 5 adding a new section 2, Senate Bill No. 2942, and ask the Senate to concur therein.

Representatives Parker and Matthews spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Matthews yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Matthews, things are flying kind of fast and furiously, and I am sure a great many of us are confused, but if I remember correctly, the key to this thing was creating the proper definition for marijuana. Wasn't that the primary thrust of the bill? And then the thing we are considering here is actually a reduction of the penalties. I am very much concerned that we don't lose the bill--that it does clarify definitions as a result of the Florida decision where if we don't pass this thing extending the definitions, then we will be in the same position that Florida was, and we won't have any way of convicting some of these people."

Mr. Matthews: "You are right on the first part--that this does clarify the situation, including the whole species of cannabis--all of those different genera, under the species 'cannabis.' So that part is taken care of. However, the amendment that we are specifically in dispute over at this point is an amendment that has to do with negligent homicide. And under the controlled substances act, at the present time there is no possibility (the way it is written, statutorily) for an individual to be charged with negligent homicide while under the influence of a narcotic. And this clarifies that so now they can be charged with negligent homicide. I simply put that into the statute. So it is clarifying, and it does not reduce the penalty at all. It, in fact, puts that back into the law."

Mr. Kuehnle: "Do we have some reasonable assurance that if we stick to our position that the Senate will concur with our amendment and we won't lose our definitions?"

Mr. Matthews: "Yes, I think so at this time."

The motion by Mr. Conner was carried.

## SECOND READING

SENATE BILL NO. 2978, by Senators Murray, Washington and Talley:

Establishing a program of baseline studies by the department of ecology.

The bill was read the second time.

On motion of Mr. Conner, the second reading was considered the third, and Senate Bill No. 2978 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2978, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bluechel, Smythe, and Mr. Speaker.

Senate Bill No. 2978, having received the constitutional 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. 2983, by Committee on Social and Health Services (Endorsed by Senators Day, Van Hollebeke, Clarke, Murray, Jones, Connor, Herr, Keefe, Twigg and Francis:

Amending the definition of "dependent child."

The bill was read the second time.

On motion of Mr. Conner, the second reading was considered the third, and Senate Bill No. 2983 was placed on final passage.

Representatives Swayze, Bagnariol, Kilbury, Douthwaite and Shinpoch spoke in favor of passage of the bill, and Representatives King, Conner and Savage spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2983, and the bill passed the House by the following vote: Yeas, 83; nays, 11; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charnley, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Smith, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Anderson, Charette, Chatalas, Conner, Eng, Hurley, King, Maxie, Moon, Parker, Savage.

Not voting: Representatives Bluechel, Haussler, Smythe, Sommers.

Senate Bill No. 2983, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

The Speaker called the House to order.

#### MOTION

On motion of Mr. Julin, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bluechel and Smythe who were excused.

MESSAGES FROM THE SENATE

September 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2377, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

September 15, 1973

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2603,  
SENATE BILL NO. 2954,  
SENATE BILL NO. 2967,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

September 15, 1973

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2300,  
SUBSTITUTE SENATE BILL NO. 2387,  
SENATE BILL NO. 2516,  
SENATE BILL NO. 2642,  
SENATE BILL NO. 2947,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

September 15, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 178,  
HOUSE BILL NO. 458,  
HOUSE BILL NO. 1075,  
HOUSE BILL NO. 1126,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker signed:

SENATE BILL NO. 2300,  
SUBSTITUTE SENATE BILL NO. 2387,  
SENATE BILL NO. 2516,  
SUBSTITUTE SENATE BILL NO. 2603,  
SENATE BILL NO. 2642,  
SENATE BILL NO. 2947,  
SENATE BILL NO. 2954,  
SENATE BILL NO. 2967.

MESSAGE FROM THE SENATE

September 15, 1973

Mr. Speaker:

The Senate recesses from its position on the following amendments to ENGROSSED HOUSE BILL NO. 189:

In line 1 of the title, after "24A.41.130;" strike everything down to and including "(...);" on line 4

On page 2, section 1, line 29, beginning with "Notwithstanding" strike all the matter down to and including "years." on page 3, line 1

On page 3, line 2 strike all of section 2 and renumber the remaining sections consecutively

On page 4, section 3, line 5 after "after" and before the period strike "January, 1, 1975" and insert "July 1, 1974"

And adheres to its position on the amendment to line 8 of the title striking all material down to and including "70.35.070;" on line 16; and on page 8, section 9, line 7, after "one-" and before "cents" strike "((half)) quarter" and insert "half"

And once again asks the House to concur, and said bill, together with the amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Ms. Sommers moved that the House concur in the Senate amendments to line 8 of the title and to page 8, section 9, line 7, Engrossed House Bill No. 189.

#### MOTION

Mrs. North (Lois) moved that the House do not concur with the amendment regarding the T.B. millage.

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "The positive motion--the motion to concur--was put first."

Ms. Sommers spoke in favor of the motion to concur in the Senate amendments.

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Curtis.

Mr. Curtis: "I wonder if I could ask you to clarify this issue? As I understand it, reading from the message from the Senate, the Senate adheres to its position on the amendment to line 8 of the title, etc., and on page 8, section 9, line 7 after 'one-' and before 'cents' strike '((half)) quarter' and insert 'half.' Would you explain to us that amendment to which the Senate adheres and asks us to recede and the implications of the vote?"

Ms. Sommers: "When we amended House Bill No. 189, what we were trying to do was to proportionately reduce the statutory earmarked millage because we had cut the taxing districts by ten percent and what we were trying to do was to then cut by ten percent the earmarked funds. When the Senate amended this bill, they refused to cut the T.B. millage, and they refused to cut the mental health millage. Now when we dealt with this same issue yesterday, we accepted their refusal on the T.B. millage, for this reason: We had unfortunately reenacted old language which

had been changed in the spring. When House Bill No. 189 was filed, apparently the Code Reviser didn't pick that up, and we did not reenact that old millage. There is another reason for receding from the T.B. millage. Those statutes are a labyrinth designed to let people who don't need all that T.B. money do other things with it, so that we are not tying the county funds up quite as badly as it looks at first glance. However, I hope that we can clean that up in January. Now for the second part of it, on the mental health, I would have preferred that they recede, but they didn't and I don't want to lose the rest of it. They did recede on the grandfather clause."

Mr. Curtis: "I realize that, Ms. Sommers. My question, and perhaps let me phrase it another way so I can get a positive 'yes' or 'no' answer: Does the Senate amendment on page 8, section 9, line 7 which strikes the word 'quarter' and inserts the word 'half' affect the money--what we know as T.B. money--for the T.B. districts? Does it not in effect raise it back to where it was so that proportionately T.B. districts are gaining what I would term (and I don't want to put words in your mouth as far as the answer is concerned), an unfair advantage or an unfair cut of the cut?"

Ms. Sommers: "That page, that is page 8, section 9, line 7 refers to the mental health-mental retardation money--not the T.B. money."

Mr. Curtis: "And it is in effect raising their allowance or their allotment?"

Ms. Sommers: "It proportionately raises their allowance, yes."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Ms. Sommers that the House concur in the Senate amendments to line 8 of the title, and page 8, section 9, line 7, Engrossed House Bill No. 189.

The motion was carried on a rising vote.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 189 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 189 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner,

Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bluechel, Smythe, and Mr. Speaker.

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

#### MESSAGE FROM THE SENATE

September 15, 1973

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 221 to section 1, line 11, and to section 1, line 14, and asks the House to concur therewith, and said bill, together with the Senate amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Parker moved that the House concur in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 221.

Representatives Parker and Knowles spoke in favor of the motion and Representatives Matthews, Swayze and Curtis spoke against it.

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

Mr. Kelley spoke against the motion by Mr. Parker.

#### POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Brown.

Mr. Brown: "Representative Knowles, in your remarks you stated that you agreed with Representative Swayze, but you thought it was better to have a bill. If it is really serving only to decrease the penalties, what purpose does having the bill serve?"

Mr. Knowles: "I think in committee it was pointed out that although there is a federal statute in this area, there has never been a conviction on it. The original bill just called for a felony. We tailored it to fit the federal penalties. I don't know if the federal government is not diligent, but there has never been a conviction, as we understand it, under the federal law. I might also



point out that this dollar value is not absolute as to felony and gross misdemeanor. We had differing figures all the way up to something we passed in the House not too long ago, where smashing a window, if the value was \$250, became a felony. So there is precedent in the law to have differing amounts where penalties for a felony or gross misdemeanor are concerned."

Mr. Parker spoke again in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Parker that the House concur in the Senate amendments to Substitute House Bill No. 221, and the motion was lost by the following vote: Yeas, 44; nays, 50; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bausch, Beck, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Luders, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Thompson, Valle, Van Dyk, Warnke, Williams.

Voting nay: Representatives Amen, Barden, Bauer, Bender, Benitz, Berentson, Blair, Brown, Clemente, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hoggins, Juelling, Julin, Kelley, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Polk, Pullen, Rabel, Schumaker, Sommers, Swayze, Tilly, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bluechel, Patterson, Smythe, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated that the House, by its action, insisted on its position with respect to the Senate amendments to Substitute House Bill No. 221.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2959, by Committee on Ways and Means (Originally sponsored by Senator Durkan):

Providing for a system of property tax exemptions.

The bill was read the second time.

The Clerk read the following amendments by Representatives Curtis, Haussler, Paris and Goltz:

On page 1, section 1, line 25 after "exceeding" strike "five" and insert "((five)) ten"

On page 2, section 1, line 5 after "with" strike "church,"

## PERSONAL PRIVILEGE

Mr. Curtis: "With the consent of the House I would like to withdraw both of those amendments on the desk and if I may, ask for a point of personal privilege."

The Speaker (Mr. O'Brien presiding): "Would you like to place a statement in the record?"

Mr. Curtis: "I would simply like to make a statement to the body, if I may."

The Speaker (Mr. O'Brien presiding): "Well, I suppose we have been a little bit liberal in this interpretation of personal privilege. No one has impugned your motives in any way, but go ahead."

Mr. Curtis: "I didn't mean to imply that, Mr. Speaker. Perhaps I could just ask your advice as to what is the proper way to do it then? I am sorry if I was in error in asking for a point of personal privilege. You are absolutely correct--no one has impugned my motives. What is the proper method?"

The Speaker (Mr. O'Brien presiding): "Well, the proper way is to place a statement in the Journal, explaining your position, whatever it might be."

Mr. Curtis: "May I simply state it and request that it be placed in the Journal?"

The Speaker (Mr. O'Brien presiding): "You have that permission."

Mr. Curtis: "Very briefly--I'm sorry to make such a hassle out of it--the amendment has been withdrawn in the interest of not hanging paper on this bill and seeing it go, because all of us want to see it go. In addition to that, we have received assurances (those of us interested in the amendment) that the item will be studied between now and January. We will put a bill in, in January, and we have received every assurance that it will be heard. We appreciate that very much and therefore we are withdrawing the amendment."

Mr. Gaspard moved adoption of the following amendment by Representatives Beck, Adams, Wojahn, Kelley, Gaspard, Juelling, Swayze and Gallagher:

On page 7, section 5, line 20 after "profit" insert the following "together with all real and personal property of such associations used exclusively for the safekeeping, maintaining and exhibiting of such collections: 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"

Representatives Gaspard and Swayze spoke in favor of adoption of the amendment, and Representative Bagnariol spoke against it.

POINT OF INQUIRY

Mr. Gaspard yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Gaspard, it is not a trick question, but it seems to be somewhere in the back of my mind that the county commissioners have already taken the prerogative of exempting the Tacoma Museum under, I believe, the nature conservancy section that we passed some years ago. I admit that is a very remote section of the law, but I understand they are presently tax exempt. Is that correct?"

Mr. Gaspard: "Mr. Newhouse, to my understanding, the Tacoma Art Museum is going to be placed on the tax roll by the county assessor. I have not heard anything contrary to that."

Representatives Beck, Wojahn and Kelley spoke in favor of adoption of the amendment.

POINT OF INFORMATION

Mr. Newhouse: "Because I raised the question, I have been advised that 'yes' I am partially correct. The exemption did exist under that nature conservancy provision, but we changed that statute some few months ago, and evidently the Pierce County Assessor is making an effort to place almost all of those properties on the rolls."

The amendment by Representative Beck and others to Engrossed Substitute Senate Bill No. 2959 was adopted.

The Clerk read the following amendment by Representatives Sommers and Randall:

On page 13, after section 19, on line 31 add a new section to read as follows:

"Sec. 20. Section 20, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 67, Laws of 1973 ex. sess. and RCW 84.55.010 are each amended to read as follows:

Except as provided in RCW 84.55.020 through 84.55.050, the levy in 1973 and years subsequent thereto for a taxing district other than the state or a school district in any year shall be set so that the regular property taxes payable in the following year shall not exceed one hundred six percent of the amount of regular property taxes lawfully levied for such district in the highest of the three most recent years in which such taxes were levied for such district plus an additional dollar amount calculated by multiplying the increase in assessed value in that district resulting from new construction and

improvements to property by the regular property tax levy rate of that district for the preceding year: PROVIDED, That if such taxing district is a county, or is located within a county or counties, in which the property is being revalued in accordance with a cyclical revaluation program commencing in or after 1969 pursuant to the requirements of RCW 84.41.030 and the revaluation of the property within such taxing district has not been fully completed prior to certification of the tax rolls for levies made in 1972, then the provisions of this section shall not be applicable for levies made in 1973 by those taxing districts in which all the property has not been valued or revalued: PROVIDED FURTHER, That if a taxing district has not levied in the three most recent years and elects to restore a regular property tax levy subject to applicable statutory limitations then such first restored levy shall be set so that the regular property tax payable shall not exceed the amount which could have been lawfully levied in ((1973)) the year in which the limitation imposed pursuant to this section becomes applicable, plus an additional dollar amount calculated by multiplying the increase in assessed value in the district since ((1973)) the year in which the limitation imposed pursuant to this section becomes applicable resulting from new construction and improvements to property by the property tax rate which is proposed to be restored, or the maximum amount which could be lawfully levied in the year such a restored levy is proposed; AND PROVIDED FURTHER, That if the levy by a county is reduced from what it would otherwise be if this section did not exist, the levy limitations set forth in RCW 70.12.010, 70.32.010, 70.32.090, 70.33.040, 70.35.070, 71.20.110, and 73.08.080, as amended, shall be proportionately reduced."

Renumber the remaining sections consecutively

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

On motion of Mr. Conner, the second reading was considered the third, and Engrossed Substitute Senate Bill No. 2959 as amended by the House was placed on final passage.

Mr. Randall spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Bausch.

Mr. Bausch: "In clarifying who we are talking about here on tax exempt status: We have a St. Placid's Priory High School here in Thurston County on about 80 acres, which deals with secondary education. It is supported in part by charities and for the most part by student fees and tuition. But the entire income is devoted exclusively to the educational process. (1) Would this be an example of those placed under tax exempt status under this bill? (2) Concerning the same, and some of those day care centers and some of the churches that have dealings with day care centers and have been placed on the rolls, for collection in 1974, the second part of my question would be: Would

these organizations placed in this (if we have some hang-ups on this bill at a later date) have grounds for any retroactivity in that case?"

Mr. Randall: "The Senate Ways and Means staff, in anticipating just that, requested an Attorney General's opinion. It was the Attorney General's opinion that the answer to your first question was in the affirmative--that those tax exempt organizations that were put on the tax rolls this year for collection next year would have recourse. They would be entitled to be taken off the tax rolls, or not pay that tax. In the case of the second question, that these tax exempt entities that are now on the tax rolls for 1974 collection--they do have recourse, and the law provides for recourse to allow them to recover or contest any tax payment. This is a five-page answer to two simple questions. I think maybe I have left one part out--not only do they have recourse, they have bona fide action that they will, in fact, recover if they are duly qualified as a tax exempt organization."

Representatives Newhouse, Williams and Moon spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2959 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoeh, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bluechel, Smythe.

Engrossed Substitute Senate Bill No. 2959 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

## MESSAGE FROM THE SENATE

September 15, 1973

Mr. Speaker:

The Senate has concurred in the following House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2102:

On page 19, section 6, line 29,

On page 28, section 8, line 26,

On page 40, section 17, line 18,

On page 45, section 24, line 2,

On page 45, section 25, line 10,

On page 45, following section 25, adding new section

26,

and asks the House to recede from the remaining amendments, and said bill, together with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Randall moved that the House recede from its amendments to page 10, section 4, beginning on line 13, and page 17, section 5, beginning on line 21 of Engrossed Substitute Senate Bill No. 2102 (the House amendments dealing with prescription drugs).

Mr. Randall spoke in favor of the motion.

## PARLIAMENTARY INQUIRY

Mr. Swayze: "Will a vote on this particular motion now only pertain to action on the amendments to page 10, section 4, and page 17, section 5?"

The Speaker (Mr. O'Brien presiding): "Yes."

Mr. Swayze: "And further motions will be made on the other amendments or groups of amendments?"

The Speaker (Mr. O'Brien presiding): "We will group some of the others, and others will be handled singly."

The motion by Mr. Randall was carried.

## MOTION

Mr. Randall moved that the House recede from its amendments to page 11, section 4, line 16 and page 18, section 5, line 24 of Engrossed Substitute Senate Bill No. 2102 (the House amendments dealing with the sales tax exemption for bottled water).

Mr. Kuehnle spoke against the motion by Mr. Randall, and Mr. Douthwaite spoke in favor of it.

The motion by Mr. Randall was carried.

## MOTION

Mr. Randall moved that the House recede from its amendments to page 11, section 4, lines 8 and 9; page 11, section 4, line 10; page 18, lines 16 and 17; and page 18, line 18 of Engrossed Substitute Senate Bill No. 2102 (the House amendments dealing with candy and confectionery).

Representatives Randall and Bagnariol spoke in favor of the motion, and Representatives Pardini, Flanagan and Curtis spoke against it.

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

## PARLIAMENTARY INQUIRY

Mr. Pardini: "Mr. Speaker, will you explain the vote we are taking, please? The yeas and the nays?"

The Speaker (Mr. O'Brien presiding): "A vote 'aye' means a motion to recede. A vote 'no' would be more or less to inform the Senate we are insisting on our position."

## ROLL CALL

The Clerk called the roll on the motion by Mr. Randall that the House recede from its amendments relating to candy and confectionery items, Engrossed Substitute Senate Bill No. 2102, and the motion was carried by the following vote: Yeas, 47; nays, 46; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gaspard, Goltz, Haussler, Hurley, Johnson, Kilbury, King, Knowles, Kopet, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, O'Brien, Perry, Savage, Shinpoeh, Smith, Sommers, Thompson, Valle, Van Dyk, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gallagher, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Jastad, Juelling, Julin, Kalich, Kelley, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Swayze, Tilly, Williams, Wilson, Zimmerman.

Not voting: Representatives Bluechel, Moon, Parker, Smythe, Warnke.

## MOTION

Mr. Randall moved that the House recede from its amendment to page 25, section 7, line 30 of Engrossed Substitute Senate Bill No. 2102 (the House amendment dealing with charitable contributions).

Representatives Randall and Bagnariol spoke in favor of the motion, and Mr. Zimmerman spoke against it.

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

Mr. Paris spoke against the motion by Mr. Randall.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Randall that the House recede from its amendment relating to charitable contributions, Engrossed Substitute Senate Bill No. 2102, and the motion was carried by the following vote: Yeas, 48; nays, 46; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Douthwaite, Ellis, Eng, Fortson, Gallagher, Gaspard, Goltz, Haussler, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bauer, Benitz, Berentson, Brown, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Hurley, Jueling, Julin, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representatives Bluechel, Moon, Smythe, Warnke.

#### MOTION FOR RECONSIDERATION

Mr. Kopet, having voted on the prevailing side, moved that the House do now reconsider the vote by which it receded from its amendments relating to candy and confectionery items to Engrossed Substitute Senate Bill No. 2102.

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

Mr. Charette demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Bluechel, Johnson and Smythe.

On motion of Mr. Charette, the absent members were excused, and the House proceeded with business under the Call of the House.



The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Kopet to reconsider the vote by which the House receded from its amendments relating to candy and confectionery items.

Representatives Swayze and Julin spoke in favor of the motion, and Representatives Charette and Bagnariol spoke against it.

#### PARLIAMENTARY INQUIRY

Mr. Pardini: "So there is no further confusion, will you explain the 'yeas' and 'nays,' please?"

The Speaker (Mr. O'Brien presiding): "A vote 'aye' means that the House wishes to reconsider. A vote 'no' means that the House does not want to reconsider."

#### ROLL CALL

The Clerk called the roll on the motion by Representative Kopet that the House reconsider the vote by which the House receded from its amendments relating to candy and confectionery items, Engrossed Substitute Senate Bill No. 2102, and the motion was lost by the following vote: Yeas, 43; nays, 52; not voting, 3.

Voting yeas: Representatives Amen, Barden, Benitz, Berentson, Blair, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kelley, Knowles, Kopet, Kraabel, Kuehne, Leckenby, Lysen, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Williams, Wilson, Zimmerman.

Voting nays: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Kalich, Kilbury, King, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wajahn, and Mr. Speaker.

Not voting: Representatives Bluechel, Johnson, Smythe.

#### MOTION FOR RECONSIDERATION

Mr. Douthwaite, having voted on the prevailing side, moved that the House do now reconsider the vote by which it receded from its amendment to page 25, section 7, line 30 of Engrossed Substitute Senate Bill No. 2102, regarding charitable contributions.

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

Mr. Douthwaite spoke in favor of the motion.

Mrs. Johnson appeared at the bar of the House.

## POINT OF ORDER

Mr. Bagnariol: "I think he is speaking to the merits of the issue and not the reasons for reconsideration."

The Speaker (Mr. O'Brien presiding): "A motion to reconsider opens up the entire subject matter, so Representative Douthwaite's remarks are in order."

Mr. Douthwaite concluded his remarks in favor of the motion.

Mr. Charette spoke against the motion by Mr. Douthwaite and Mr. Curtis spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Douthwaite to reconsider the vote by which the House receded from its amendment to Engrossed Substitute Senate Bill No. 2102 regarding charitable contributions, and the motion was lost by the following vote: Yeas, 47; nays, 49; not voting, 2.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Brown, Cunningham, Curtis, Douthwaite, Eikenberry, Eng, Erickson, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Hurley, Juelling, Julin, Kalich, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Maxie, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Swayze, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Jastad, Johnson, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, May, McCormick, North F., O'Brien, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bluechel, Smythe.

Mr. Randall moved that the House recede from its amendments to page 34, section 12, lines 14 and 20 of Engrossed Substitute Senate Bill No. 2102 (the House amendments dealing with subchapter "S" corporations).

## DIVISION OF QUESTION

At the request of Mr. Tilly, the question was divided.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion that the House recede from its amendment to page 34, section 12, line 14.

The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion that the House recede from its amendment to page 34, section 12, line 20.

Representatives Tilly and Morrison spoke against the motion, and Mr. Charette spoke in favor of it.

#### POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Curtis.

Mr. Curtis: "Representative Julin, I wonder if you would comment on the intent of the House in including this language allowing the subchapter 'S' corporations to carry over their losses?"

Mr. Julin: "The question, as I understand it, Representative Curtis, is what was the intent of the House in adopting the amendment dealing with the losses of subchapter 'S' corporations. I am satisfied that the intent of the House was that we wanted this statute to be in a posture such that if a subchapter 'S' corporation does sustain a loss, that since the corporate entity itself is going to be paying taxes on any income, the individual stockholders would be entitled to claim the loss--their share of that subchapter 'S' corporation's loss on their own individual income tax returns. I can tell you that I have conferred with members of the Senate on this, and as Representative Charette has indicated there is some uncertainty in the language. But I would like to have this clearly in the record that I believe that the intent of the Senate and the intent of the House is identical in this regard, and that probably a more preferable language would be to amend this and insert language that would say you could deduct your share of any income and shall be entitled to deduct your share of any losses. That is the intent and I am satisfied that intent has been made a matter of record in the record of the Senate, and I want to be sure it is clear that it is the intent of this body, when I do urge you to recede, because that, I believe, will be consistent with what we are all trying to do."

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

#### POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Flanagan.

Mr. Flanagan: "Inasmuch as this part of the bill deals with the definition of taxable income, which, if changed after HJR 37 passes, is subject to referendum of the people, then if we don't make the change now and try to make it at a later date, we are subject to referendum of the people. I believe this part of the bill deals with the definition of taxable income."

Mr. Julin: "Representative Flanagan, I am not satisfied that this section of the bill actually deals with what you would the call definition of taxable income. I

think it deals with how you treat either income or losses and what I was trying to do was get in the Journal for the record as a clear indication to the Department of Revenue that it was the intent of the legislature that by receding from our position, we would be concurring with the Senate's intent that the individual stockholder in a subchapter 'S' corporation would be entitled to deduct on his own personal income tax return, his share of any losses sustained by a subchapter 'S' corporation."

Mr. Flanagan: "It seems to me that this part of the bill determines the income that is going to be taxable under the rates, and therefore is a part of the definition of taxable income and would be subject to referendum unless we clear it up now."

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Randall that the House recede from its amendment to page 34, section 12, line 20, relating to subchapter "S" corporations, Engrossed Substitute Senate Bill No. 2102, and the motion was carried by the following vote: Yeas, 60; nays, 36; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Brown, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Swayze, Tilly, Wilson, Zimmerman.

Not voting: Representatives Bluechel, Smythe.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2102 without certain House amendments.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2102 without certain House amendments, and the bill passed the House by the following vote: Yeas, 79; nays, 17; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins,

Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Benitz, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gallagher, Juelling, Kopet, Kuehne, Leckenby, Moon, Pardini, Polk, Pullen, Schumaker, Tilly.

Not voting: Representatives Bluechel, Smythe.

Engrossed Substitute Senate Bill No. 2102 without certain House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

September 15, 1973

Mr. Speaker:

The Senate insists on its position regarding the Senate amendments to SUBSTITUTE HOUSE BILL NO. 221, and once again asks the House to concur, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Parker moved that the House concur in the Senate amendments to Substitute House Bill No. 221.

Representatives Parker and Kelley spoke in favor of the motion and Representatives Leckenby and Curtis spoke against it.

The motion was carried on a rising vote.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 221 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 221 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick,

Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Kopet, Kuehnle, Leckenby, Matthews, North L., Pardini.

Not voting: Representatives Bluechel, Smythe.

Substitute House Bill No. 221 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Thompson moved that the Rules Committee be relieved of SENATE BILL NO. 2366, and that it be placed on the second reading calendar for immediate consideration.

The motion was carried on a rising vote.

#### POINT OF ORDER

Mr. Swayze: "Mr. Speaker, Rule 81 provides 'That a majority of members elected to the House may require a committee to report a bill back to the House during the order of business at which it may be considered.' We were on the third order of business--not the sixth order of business pertaining to the third reading of bills."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Representative Swayze, we were on the proper order of business. We were on the second reading of bills--the sixth order of business. We were reading in Messages from the Senate, but you can read in Senate Messages at any time. The procedure and custom has been pretty well established that you can read in Messages from the Senate at any time."

#### MESSAGE FROM THE SENATE

September 15, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 189 with the following amendments as concurred in by the House:

Line 8 of the title;

On page 4, beginning on line 17;

On page 8, section 9, line 7;

having receded from the remainder of its amendments, and said bill, together with the Senate amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Charette, the House dispensed with further proceedings under the Call of the House.

## SENATE AMENDMENTS TO HOUSE BILL

September 15, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1121 with the following amendments:

On page 1, line 3 of the title after "(...);" strike all the matter down to and including "(...);" on line 4

On page 1, line 9 of the title after "41.32.580;" and before "and" insert "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;"

On page 2, strike all of section 2 and renumber the remaining sections consecutively

Beginning on page 5, line 2 add a new section as follows:

"Sec. 2. 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 are each amended to read as follows:

Any member desiring to establish credit for services previously rendered, must present proof and make the necessary payments before ((June 30, 1970)) January 31, 1974 ((or, if not employed on the effective date of this act, before June 30th of the fifth school year after entry into public school employment in this state)). Payments covering all types of membership service credit ((may)) must be made in a lump sum ((when due, or in annual installments, with three percent interest. The first annual installment of at least twenty percent of the amount due must be paid before the date specified above, and the final payment before June 30th of the fourth school year following that in which the first payment was made)) prior to January 31, 1974: PROVIDED, That a member who had the opportunity under this section prior to July 1, 1965 to establish credit for services previously rendered and failed to do so shall be permitted to establish such credit only for previous public school service rendered in the state of Washington: PROVIDED FURTHER, That a member who had the opportunity under chapter 41.32 RCW prior to July 1, 1969, to establish credit for active United States military service or credit for professional preparation and failed to do so shall be permitted to establish such additional credit within the provisions of RCW 41.32.260 and 41.32.330. Any member desiring to establish credit under the provisions of this 1969 amendment must present proof and make the necessary payment before June 30, 1974; or, if not employed on the effective date of this amendment, before June 30th of the fifth school year upon returning to public school employment in this state."

Renumber the remaining sections consecutively. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Morrison moved that the House concur in the Senate amendments to Engrossed House Bill No. 1121.

Representatives Morrison and Bagnariol spoke in favor of the motion and the motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1121 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1121 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Kurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Bluechel, Jueling, Smythe, Zimmerman.

Engrossed House Bill No. 1121 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

September 15, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 487 with the following amendments:

In line 7 of the title, after "and adding" strike the remainder of the title and insert "amending section 20, chapter 218, Laws of 1973, 1st ex. sess. and RCW 9.46. \_\_\_; adding new sections to chapter 218, Laws of 1973, 1st ex. sess. and to chapter 9.46 RCW; and repealing section 28, 218, Laws of 1973, 1st ex. sess. and RCW 9.46.280."

On line 9 of the title after "RCW" and before the period insert "; and declaring an emergency"

On page 2, section 2, line 32 after "conducted" strike all of the material down to and including "similar exposition" on page 3, line 1 and insert "((on any property of a city of the first class devoted to uses incident to a civic center, worlds fair or similar exposition)) in connection with a civic center of a city of the first class, worlds fair or similar exposition approved by the Bureau of International Expositions at Paris, France, or a community festival sponsored or approved by a city or town"



On page 11, section 3, line 24 after "upon any" strike all of the material down to and including "similar exposition" on line 26 on the same page and insert "((upon any property of a city of the first class devoted to uses incident to a civic center, worlds fair or similar exposition)) in connection with a civic center of a city of the first class, worlds fair or similar exposition approved by the Bureau of International Expositions at Paris, France, or a community festival sponsored or approved by a city or town""

On page 12, section 4, line 12 beginning with "That any" strike all of the material down to and including "FURTHER," in line 17 and insert "((That 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,))""

On page 12, section 4, line 20 after "issue," and before "suspend" insert "deny,"

On page 12, section 4, line 21 after "color" and before "or" insert ", sex" and after "origin:" insert "PROVIDED FURTHER, That the commission or director shall not issue, deny, suspend or revoke any license because of the policies of any applicant with regard to race, creed, color, sex or national origin:"

On page 13, section 4, line 5 after "by the commission;" insert a new subsection as follows:

"(3) Any license to engage in any of the gambling activities authorized by section 9.46.030 RCW as now exists or is later amended issued under the authority of this section shall be the legal authority to engage in the gambling activity for which issued throughout the incorporated and unincorporated area of any county with respect to all areas within the county except any cities, or any city located therein with respect to such city, shall absolutely prohibit any or all gambling activities authorized by section 9.46.030 RCW.

(4) To authorize, require, and issue, for a period not to exceed one year, such licenses as the commission may by rule provide, to any person, association or organization to engage in the selling, distributing, or otherwise supplying or in the manufacturing of devices for use within this state for those activities authorized by section 9.46.030 RCW."

Remember the remaining subsections consecutively

On page 13, section 4, line 7 after "the premises" and before "which" insert ", and for such other activities as may be licensed by the commission,"

On page 14, section 4(6), line 6 after "activities" insert ": PROVIDED FURTHER, That with respect to the duly elected officers and directors of a bona fide charitable or nonprofit organization the commission shall not require any information beyond such current information as is normally required for purposes of identification;"

On page 16 add new sections following section 6 as follows:

"Sec. 7. Section 20, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.\_\_\_\_ are each amended as follows:

In addition to any other penalty provided for in this chapter, every person, directly or indirectly controlling the operation of any gambling activity authorized in section 3 of this act including a director, officer and/or manager of any association, organization or corporation conducting the same, whether charitable, nonprofit, or profit ((shall)) may be liable, jointly and severally, for money damages suffered by any person because of any violation of the 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.

NEW SECTION. Sec. 8. There is hereby added to chapter 218, Laws of 1973, 1st ex. sess. and chapter 9.46 RCW a new section to read as follows:

This chapter constitutes the exclusive legislative authority for the licensing and regulation of any gambling activity and the state preempts such licensing and regulatory functions, except as to the powers and duties of any city, town, city-county, or county which are specifically set forth in this chapter. Any ordinance, resolution, or other legislative act by any city, town, city-county, or county relating to gambling in existence on the effective date of this amendatory act shall be as of that date null and void and of no effect. Any such city, town, city-county, or county may thereafter enact only such local law as is consistent with the powers and duties expressly granted to and imposed upon it by chapter 9.46 RCW and which is not in conflict with that chapter or with the rules of the commission.

NEW SECTION. Sec. 9. Section 28, chapter 218, Laws of 1973, 1st ex. sess. and RCW 9.46.280 are each hereby repealed."

On page 16, following line 17 add a new section to read as follows:

"NEW SECTION. Sec. 10. Nothing in this act shall be construed as prohibiting a nonprofit corporation from charging an admission charge per person for attending an event at which social card games or bingo are conducted."

On page 16, following line 17 add a new section to read as follows:

"NEW SECTION. Sec. 11. The provisions of this act are necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mrs. Wojahn moved that the House concur in the

Senate amendments to Engrossed Second Substitute House Bill No. 487.

Representatives Kuehnle and Wojahn spoke in favor of the motion, and Representative Brown spoke against it.

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

POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "The amendment on the first page, Representative Wojahn, down about three-quarters of the way--page 12, section 4, line 21, says 'PROVIDED FURTHER, That the commission or director shall not issue, deny, suspend or revoke any license because of the policies of any applicant with regard to race, creed, color...' I don't know, but it seems to me there must be some good reason for this, if the applicant has policies which are unlawful regarding racial or sex discrimination of some kind. Does this allow him to be somehow immune from the requirements to abide by the nondiscriminatory language which exist in the state law?"

Mrs. Wojahn: "In answer to your question, Representative Douthwaite, no, it does not. It simply does not permit the gambling commission to make that decision. This is the area in which the gambling commission may make errors on granting or not granting a license or in the area of rules and regulations, but they do not have the right to make a policy decision such as this, and it should not even enter this area. This is simply an attempt to preclude them because they apparently are getting into policy areas right now, and that is one of the reasons we are having problems with the bill."

Mr. Douthwaite: "To follow up a bit more, if, for example, an establishment prohibited the admission of people of English descent in their policies, this indicates then that we cannot do anything about that. This cannot be taken into consideration by the gambling commission, this type of racial discrimination?"

Mrs. Wojahn: "It isn't in their province right now. We think that they would be attempting to enter an area again of policy, in which they have no right to enter, and that is the only reason for this. This is a legislative prerogative, not an appointed commission prerogative."

Mr. Douthwaite: "Well, I think the answer to that is that the state has policies regarding racial discrimination of which most of us are very proud. And this looks like a loophole to get around such a policy, which I think smacks of something which perhaps comes from Mississippi or somewhere, and therefore I don't think I can support this amendment."

Representatives Conner and Kuehnle spoke in favor of the motion to concur in the Senate amendments to Engrossed Second Substitute House Bill No. 487, and Representatives Kraabel, Pullen and Smith spoke against it.

POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mrs. Hayner.

Mrs. Hayner: "Representative Kuehnle, I have a great deal of respect for your expertise in this field since I know that you were in on the drafting of this bill from the very beginning. I have some question about the extension of this veto power which you mentioned. Would you please direct me to the right section where that exists?"

Mr. Kuehnle: "Yes, Representative Hayner. The amendment is on the second page of this bundle of amendments I have. I presume it is in the same position on yours. It starts on page 13, section 4, line 5 after 'by the commission;' insert the following. (And incidentally there is a typographical error which we found just a little while ago and that will help clarify it for you, too, I think.) It now reads 'Any license to engage in any of the gambling activities authorized by section 9.46.030 RCW as now exists or is later amended issued under the authority of this section shall be the legal authority to engage in the gambling activity for which issued throughout the incorporated and unincorporated area of any county'--and here is where the three words are missing. Insert the words 'unless a county' and then continue with the language '...with respect to all areas within the county except a city located therein shall absolutely prohibit any or all gambling activities authorized by section 9.46.030.' So in essence what it now says is that the county governs the gambling activities within the county except that a city may prohibit gambling activities within the city. Frankly I would prefer that the language were a little clearer, but this was the result of an amendment to the gambling commission's amendment in the Senate, and we then have to go back to a definition of a city. And as nearly as I have been able to determine in rushing around here the last few minutes, a third class city, for example, goes down to a population of 1,500 people. Below that it is called a town. So the interpretation as best we understand it would be that a city may prohibit gambling even though the county opts for it."

Mrs. Hayner: "In other words, what you are saying is that the county may veto what has been authorized by the state, and then the city may veto the county."

Mr. Kuehnle: "The county may opt in favor of, but the city may opt against."

Mr. Ehlers spoke in favor of the motion by Representative Wojahn that the House concur in the Senate amendments, Engrossed Second Substitute House Bill No. 487.

## POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Williams.

Mr. Williams: "In section 4 of the bill where it says the commission shall have certain powers, and then subsection (5) of that says that they may require that any license holder maintain records as directed by the commission and submit such reports that the commission may deem necessary--now the Senate amendment to that section says.. 'PROVIDED FURTHER, That with respect to the duly elected officers and directors of a bona fide charitable or nonprofit organization the commission shall not require any information beyond such current information as is normally required for purpose of identification...' Now earlier you said something about how you felt the commission itself had essential powers for controlling many aspects of this. Now wouldn't you say that that is a considerable limitation on their power to be able to safeguard the public in terms of who are officers, etc., of these charitable organizations?"

Mr. Kuehnle: "I am not sure that I can answer the question with a 'yes' or 'no.' I can only explain to you the rationale that was used by Senator Woodall in offering the amendment. The original language in the statute as we passed it in the last session required that all of the officers and all of the directors of any bona fide charitable, nonprofit institution provide a history--no excuse me, this isn't right. The rule that was adopted by the commission required that they provide information going back ten years relative to all of their employment, etc., with all of these directors. And--I think this is correct, I am going from memory--Senator Woodall and Senator Canfield and several others had serious objections which had been registered at the recent gambling commission meeting at SeaTac relative to the invasion of the privacy of the elected directors of the fair boards, etc., and they felt that current information was appropriate, but it was inappropriate to go back and ask for ten years of history of employment and financial activity."

Mr. Williams: "Well I think you have answered the question. I just brought up the point that it does say 'current information' which means at that point in time."

## POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mrs. Lois North.

Mrs. North: "It has been brought out here in previous comments that the power of local determination for gambling has been greatly expanded in these proposed amendments. And Mr. Kuehnle did allude to it. I want to ask you about two sections. The first one is on the first page where it says 'On page 2, section 2, line 32. When you read down through the underlined words, that amendment is the same as the next one following. But it is the very last phrase that intrigues me. It is saying, in effect, that under these conditions gambling may be conducted, and the last phrase is '...or a community festival sponsored or

approved by a city or town.' Mr. Kuehnle, you did tell us that below 1,500 it seems to fall in the realm of a town rather than being a city. My understanding would be an enormous broadening of local determination because in our original gambling bill, and correct me if I am in error on this, it was only first class cities that would have that option of choosing gambling or not to gamble. But this language opens it to every little collection of houses--be it a town, a city of any class, to decide what they are going to do. And they are not dependent upon the county, as long as they are gathered in some semblance of a city or a town. That is the first thing I want to ask you about. The last one--when you were discussing with Representative Hayner the language which is near the bottom here and it says again in very verbose language that really, again, any city or county can choose back and forth between them to decide what their gambling will and will not be. I look upon this as an enormous broadening of the powers of this bill, and I would appreciate your comments on that."

Mr. Kuehnle: "I will try. Referring to your first question, the language '...in connection with a civic center of a city of the first class, worlds fair or similar exposition approved by the Bureau of International Expositions at Paris, France, or a community festival sponsored or approved by a city or town.' This is exactly the language as was presented by the gambling commission through the Attorney General's Office, and the request was made for this clarifying language. This Senate amendment is precisely the language that was offered by the gambling commission through the Attorney General's Office. The reason for it, as was stated, is to permit the raffles and that type of thing, in conjunction with those expositions. I think you will find that if you check back, Representative North, that it does not allude to, for example, cardrooms and that type of thing. It alludes to amusement games and raffles, particularly raffles. I am not even sure that it gets into amusement games. As a matter of fact, the more I think about it, the more I think we are just talking about raffles because the commission explained to us, and I was present when the discussion took place and the amendment was proposed, that they really should not have issued a license for the Westport Salmon Derby or whatever it was down there, nor for the Seafair Salmon Derby. The language was unclear, and therefore they were asking for clarifying language. It really doesn't then directly relate to your second question. This first one does not give any city or town the opportunity to approve gambling activities. A city or a town may apply for a raffle license in conjunction with their fishing derby, and if the determination is made by the commission that it is a legitimate event, etc., then they may get that license. But it really doesn't relate to your second question in which veto powers were given to cities regardless of which direction the county went."

Mrs. North: "Representative Kuehnle, then that would be a tremendous expansion wouldn't it--in this last phrase that we are discussing? The amendment on the first page near the bottom which says the veto power or option in

or out will be extended to any city or town no matter how large or small in this state. At least that would be the interpretation there."

Mr. Kuehnle: "I would say that it does extend the local option thing to cities, other than cities of the first class."

POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Shinpoch.

Mr. Shinpoch: "Thank you, Mr. Speaker. I suspect that Representative Kuehnle is getting tired of being called upon but if I could ask you one more question to attempt to clarify in my mind the results of Representative North's question. Representative Kuehnle, my understanding of the bill as originally passed is that if the counties opted, only first class cities had the opportunity to opt out, if you were going to have gambling. And that we as a state had said gambling legal anywhere, but only the first class cities had an opportunity to opt out. Now what I read this to say is that the only broadening is that you have given the power to more cities to opt out of gambling if they so desire."

Mr. Kuehnle: "That is the interpretation I have. This amendment was Senator Bailey's amendment to the commission amendment. The commission amendment was asking for clarifying language, and I am of the opinion that Senator Bailey's amendment did just what you have expressed."

Mr. Shinpoch: "Thank you. I read this, really, as it doesn't broaden the powers at all. It gives the local option to not have gambling if they desired, which in effect tightens the law."

POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mrs. Johnson.

Mrs. Johnson: "Representative Kuehnle, my question is directed a little differently from the local option concept. I read in about the middle of the section we have been discussing that they shall absolutely prohibit any or all gambling activities. My question then pertains to, could a county or a city opt some gambling activity, and prohibit other kinds of gambling activity? In other words, do they have an election as to the kind of activity there would be held within their jurisdiction?"

Mr. Kuehnle: "Yes."

ROLL CALL

The Clerk called the roll on the motion by Mrs. Wojahn that the House concur in the Senate amendments to Engrossed Second Substitute House Bill No. 487, and the motion was carried by the following vote: Yeas, 57; nays,

33; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Ehlers, Ellis, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Martinis, Maxie, McCormick, Morrison, Newhouse, North F., O'Brien, Parker, Perry, Randall, Savage, Schumaker, Shinpoch, Thompson, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barden, Berentson, Blair, Brown, Charnley, Cunningham, Douthwaite, Eikenberry, Eng, Freeman, Gilleland, Goltz, Hoggins, Julin, Kelley, Kraabel, Leckenby, Lysen, Matthews, Moon, Nelson, North L., Pardini, Paris, Polk, Pullen, Rabel, Smith, Sommers, Swayze, Valle, Williams, Zimmerman.

Not voting: Representatives Anderson, Benitz, Bluechel, Luders, May, Patterson, Smythe, Tilly.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 487 as amended by the Senate.

Representatives Wojahn, Charette and Morrison spoke in favor of passage of the bill, and Representatives Pullen and Leckenby spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 487 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 63; nays, 30; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Morrison, Nelson, Newhouse, North F., O'Brien, Parker, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn.

Voting nay: Representatives Barden, Beck, Blair, Bluechel, Brown, Charnley, Cunningham, Douthwaite, Eikenberry, Freeman, Gilleland, Goltz, Hoggins, Julin, Kelley, Kraabel, Leckenby, Matthews, Moon, North L., Pardini, Paris, Polk, Pullen, Rabel, Sommers, Swayze, Tilly, Williams, Zimmerman.

Not voting: Representatives Benitz, May, Patterson, Smythe, and Mr. Speaker.

Engrossed Second Substitute House Bill No. 487 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



MESSAGE FROM THE SENATE

September 15, 1973

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2377,  
SENATE BILL NO. 2942,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker signed:

SUBSTITUTE SENATE BILL NO. 2377,  
SENATE BILL NO. 2942,  
SUBSTITUTE HOUSE BILL NO. 221.

The Speaker resumed the Chair.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE BILL NO. 1121.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

MESSAGES FROM THE SENATE

September 15, 1973

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 221,

and the same is herewith transmitted:

Bill Gleason, Assistant Secretary.

September 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2102 to:

Page 19, section 6, line 29;

Page 28, section 8, line 26;

Page 40, section 17, line 18;

Page 45, section 24, line 2;

Page 45, section 25, line 10;

Page 45, section 25, new section 6;

and passed the bill with the above amendments.

Sidney R. Snyder, Secretary.

September 15, 1973

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2959, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

September 15, 1973

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1128 with the following amendments:

On page 6, line 9 strike ", including special excess levies" and on line 10, after "instruction" and before the colon insert ", plus special excess levies"

On page 6, after "that" on line 21 strike all the matter down to and including the period on line 27 and insert "reduces the funds of such school districts to the state average for comparable districts: PROVIDED FURTHER, That for districts below the state average for comparable districts the state superintendent shall provide by rule and regulation a five-year plan that increases the funds of such school districts to the state average for comparable districts."

On page 16, following section 21, add a new section as follows:

"NEW SECTION. Sec. 22. The 1974 legislature, in the event HJR 37 is approved, shall amend said formula distribution to the various school districts, as provided in this act, to legislate state-wide teacher salary schedules."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Luders moved that the House concur in the Senate amendments to Engrossed House Bill No. 1128.

Representative Luders spoke in favor of the motion, and Representatives Pardini, Polk and Brown spoke against it.

#### PARLIAMENTARY INQUIRY

Mr. Polk: "Mr. Speaker, I was just looking at the third amendment which has been transmitted to us. It is obviously faulty. I was standing in the Senate as they debated this amendment. The word 'shall' in the second line was changed to 'may' on the floor. The copy that was transmitted to us and signed by the Secretary of the Senate says 'shall' but it is obviously faulty."

The Speaker: "Representative Polk, there was a floor amendment changing 'shall' to 'may' so you might very well be correct. If this is a mistake, we will find out."

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

#### RULING BY THE SPEAKER

The Speaker: "Representative Polk, in answer to your inquiry, after playing the tape recording in the Senate, you are correct--that word should be 'may' in the third amendment rather than 'shall.' It should read: 'The 1974 legislature, in the event HJR 37 is approved, may (strike shall and insert may) amend said formula.'"

## POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Luders, I notice within the second Senate amendment which you did discuss, this term 'comparable districts.' My question would be to you: Is comparable districts, or a limitation thereon, or a definition thereof, anywhere within this act?"

Mr. Luders: "No, there is no limitation on the amount of comparable districts that could be involved in this."

Mr. Morrison: "Therefore, it would be possible for the Superintendent of Public Instruction (I presume he is the one to determine comparable districts) to end up with an unlimited number of comparable districts?"

Mr. Luders: "That is correct, Representative Morrison."

Mr. Morrison: "Then very possibly we could have as many comparable districts--perhaps as many classifications as there are school districts within the state of Washington?"

Mr. Luders: "That is possible."

Mr. Morrison spoke against the motion to concur in the Senate amendments to Engrossed House Bill No. 1128, and Mr. Charette spoke in favor of the motion.

## POINT OF ORDER

Mr. Julin: "Representative Charette is an excellent salesman, but I think he is selling a product we are not really interested in buying tonight."

The Speaker: "I understand that, but I don't understand your point of order."

Mr. Julin: "Mr. Speaker, I believe Representative Charette's remarks strayed far afield and have no relationship to the matter of the merits of the measure now before us."

The Speaker: "Representative Julin, I would probably agree with you, but I thought Representative Pardini set the stage."

## POINT OF ORDER

Mr. Pardini: "But I did it within the three-minute rule."

The Speaker: "Representative Pardini, I see you have been reading the rules. I think that would be an appropriate point of order. Could you conclude your remarks as quickly as possible, Representative Charette?"

Mr. Charette concluded his remarks in favor of the motion.

Representative King spoke in favor of the motion to concur in the Senate amendments to Engrossed House Bill No. 1128, and Representatives Freeman, Flanagan and Kraabel spoke against it.

Mr. Luders closed debate, speaking in favor of the motion.

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

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Luders that the House concur in the Senate amendments to Engrossed House Bill No. 1128, and the motion was carried by the following vote: Yeas, 52; nays, 38; not voting, 8.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, North F., O'Brien, Parker, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barden, Bender, Berentson, Blair, Brown, Clemente, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Julin, Kelley, Kraabel, Kuehnle, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Perry, Polk, Pullen, Rabel, Schumaker, Swayze, Wilson, Zimmerman.

Not voting: Representatives Benitz, Hoggins, Juelling, May, Paris, Patterson, Smythe, Tilly.

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 1128 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1128 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 60; nays, 28; not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley,

Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Morrison, Newhouse, North F., O'Brien, Parker, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Berentson, Clemente, Cunningham, Curtis, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Julin, Kelley, Kraabel, Kuehne, Leckenby, Matthews, Moon, Nelson, North L., Pardini, Perry, Polk, Pullen, Rabel, Schumaker, Swayze, Zimmerman.

Not voting: Representatives Benitz, Fortson, Hansen, Hoggins, Jueling, May, Paris, Patterson, Smythe, Tilly.

Engrossed House Bill No. 1128 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Bagnariol moved that the Committee on Ways and Means be relieved of ENGROSSED SENATE BILL NO. 2960, and that the bill be placed on today's second reading calendar.

Representatives Bagnariol and Pardini spoke in favor of the motion, and the motion was carried.

#### SECOND READING

ENGROSSED SENATE BILL NO. 2960, by Senator Durkan:

Implementing law relating to state aid for use of common schools.

The bill was read the second time.

On motion of Mr. Conner, the second reading was considered the third, and Engrossed Senate Bill No. 2960 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2960, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Perry, Polk, Pullen,

Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Benitz, Hoggins, Jueling, May, Paris, Patterson, Smythe, Tilly, Zimmerman.

Engrossed Senate Bill No. 2960, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE SENATE

September 15, 1973

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2102,

SUBSTITUTE SENATE BILL NO. 2959,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

September 15, 1973

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2494,

SENATE BILL NO. 2978,

SENATE BILL NO. 2983,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

September 15, 1973

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 139,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SUBSTITUTE SENATE BILL NO. 2102,

SENATE BILL NO. 2494,

SUBSTITUTE SENATE BILL NO. 2959,

SENATE BILL NO. 2978,

SENATE BILL NO. 2983,

HOUSE BILL NO. 189,

SECOND SUBSTITUTE HOUSE BILL NO. 487.

MOTION

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

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 139, by Senators Bailey, Atwood, Mardesich and Lewis (Harry):

Relating to transmittal of bills.

On motion of Mr. Conner, Senate Concurrent Resolution No. 139 was advanced to second reading and read the second time.

On motion of Mr. Conner, the second reading was considered the third, and Senate Concurrent Resolution No. 139 was placed on final passage.

Mr. Charette spoke in favor of the resolution.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 139, and the resolution passed the House by the following vote: Yeas, 81; nays, 4; not voting, 14.

Voting yeas: Representatives Adams, Amen, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nays: Representatives Eikenberry, Kelley, Kuehnle, Schumaker.

Not voting: Representatives Anderson, Blair, Gilleland, Hoggins, Juelling, May, Paris, Patterson, Polk, Rabel, Smythe, Tilly, Zimmerman.

Senate Concurrent Resolution No. 139, having received the constitutional majority was declared passed.

## MESSAGES FROM THE SENATE

September 15, 1973

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 323, notwithstanding the Governor's veto, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 189,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## RESOLUTION

HOUSE RESOLUTION NO. 73-154, by Representative Charette:

WHEREAS, The Second 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 House after its adjournment and during the interim period between the close of the Second Extraordinary Session of the Forty-third Legislature and the next Extraordinary Session;

NOW, THEREFORE, BE IT RESOLVED, That the Chief Clerk and the Assistant Chief Clerk of the House of Representatives are directed to complete the work of the Second Extraordinary Session of the Forty-third Legislature, and all details that arise therefrom, including editing, indexing, and publishing of the Journal of the House for the Second Extraordinary Session; and

BE IT FURTHER RESOLVED, That the Sergeant at Arms is hereby directed to complete the necessary work of the Second Extraordinary Session of the Forty-third Legislature; and

BE IT FURTHER RESOLVED, That the Speaker and the Chief Clerk be and they are hereby authorized and directed to retain such additional employees with the approval of the Speaker, as may be necessary to complete the work of the Second Extraordinary Session of the Forty-third Legislature and to fix their compensation therefor; and

BE IT FURTHER RESOLVED, That the Speaker and the Chief Clerk be authorized and directed to make out the necessary vouchers upon which warrants shall be drawn for the final payment of all expenses in connection with the closing business and for all other business of the House of Representatives for the Second Extraordinary Session of the Forty-third Legislature and during the following interim period.

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

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE BILL NO. 1128.

## MESSAGES FROM THE SENATE

September 15, 1973

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 487,

HOUSE BILL NO. 1121,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.



September 15, 1973

Mr. Speaker:

In accordance with Senate Concurrent Resolution No. 139, the following bills are transmitted to the House:

	SUBSTITUTE HOUSE BILL NO.	14,
	ENGROSSED HOUSE BILL NO.	302,
	ENGROSSED HOUSE BILL NO.	446,
	HOUSE BILL NO.	457,
	ENGROSSED HOUSE BILL NO.	499,
	SUBSTITUTE HOUSE BILL NO.	519,
	SUBSTITUTE HOUSE BILL NO.	530,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	569,
	ENGROSSED HOUSE BILL NO.	582,
	ENGROSSED HOUSE BILL NO.	979,
	HOUSE BILL NO.	1006,
	HOUSE BILL NO.	1011,
	ENGROSSED HOUSE BILL NO.	1026,
	ENGROSSED HOUSE BILL NO.	1047,
	ENGROSSED HOUSE BILL NO.	1059,
ENGROSSED	HOUSE JOINT RESOLUTION NO.	6,
	HOUSE JOINT RESOLUTION NO.	31,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### RESOLUTION

HOUSE RESOLUTION NO. 73-151, by Representative Charette:

BE IT RESOLVED, By the House of Representatives, That a committee consisting of three members of the House, to be named by the Speaker of the House, be appointed to notify the Senate that the Second Extraordinary Session of the Forty-third Legislature is ready to adjourn sine die.

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

#### APPOINTMENT OF COMMITTEE

Under the provisions of House Resolution No. 73-151, the Speaker appointed Representatives Conner, Charnley and Curtis to notify the Senate that the House of Representatives was about to adjourn sine die.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

#### REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Senate that the House was about to adjourn sine die appeared before the bar of the House and reported the committee had performed its mission.

## MESSAGES FROM THE SENATE

September 15, 1973

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2960,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

September 15, 1973

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 139,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

September 15, 1973

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1128,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE BILL NO. 2960,

SENATE CONCURRENT RESOLUTION NO. 139.

## MESSAGE FROM THE SENATE

September 15, 1973

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 140,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## COMMITTEE FROM THE SENATE

A committee from the Senate comprised of Senators Lux, Twigg and Odegaard appeared before the bar of the House to notify the House that the Senate was about to adjourn sine die.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 140, by Senators Bailey, Hardsich, Atwood and Lewis (Harry):

Notifying the Governor that the Legislature was about to adjourn sine die.

On motion of Mr. Charette, Senate Concurrent Resolution No. 140 was advanced to second reading and read the second time.

On motion of Mr. Conner, the second reading was considered the third, and Senate Concurrent Resolution No. 140 was placed on final passage.

Mr. Charette spoke in favor of the resolution, and the resolution was adopted.

#### APPOINTMENT OF COMMITTEE

Under the provisions of Senate Concurrent Resolution No. 140, the Speaker appointed as members of the committee to notify the Governor that the legislature was about to adjourn sine die, Representatives Morrison, Ceccarelli and Douthwaite.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

September 15, 1973

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 140,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SENATE CONCURRENT RESOLUTION NO. 140.

#### REPORT OF SPECIAL COMMITTEE

The House members of the committee appointed to notify the Governor that the legislature was about to adjourn sine die appeared before the bar of the House and stated that the committee had so notified the Governor, and that he was willing that the session adjourn sine die.

#### MOTION

On motion of Mr. Charette, reading of the Journal of the eighth day of the Second Extraordinary Session of the Forty-third Legislature was dispensed with and it was ordered to stand approved.

#### MOTION

On motion of Mr. Charette, the House of Representatives of the Second Extraordinary Session of the Forty-third Legislature adjourned sine die.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



APPENDIX

House Legislative Leaders

House Roster

House Standing Committees

House Members' Individual Committee Assignments

Statutory Committee Assignments

House Bills passed by Both House and Senate

House Memorials and Resolutions passed by  
Both House and Senate

Senate Bills passed by Both House and Senate

Senate Memorials and Resolutions Passed  
by Both House and Senate

Governor's Messages on House Bills Vetoed  
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House Bills, Memorials and Resolutions  
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House Floor Resolutions - History--Index

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JOURNAL OF THE HOUSE

HOUSE LEGISLATIVE LEADERS - 1973

Speaker.....Leonard A. Sawyer  
Speaker Pro Tempore.....John L. O'Brien  
Majority Floor Leader.....Robert L. Charette  
Majority Whip.....Paul H. Conner  
Majority Caucus Chairman.....William "Bill" Chatalas  
Assistant Majority Floor Leader.....Alan Thompson  
Assistant Majority Whip.....Dan Van Dyk  
Majority Caucus Secretary.....Lorraine Wojahn  
Minority Leader.....Thomas A. Swayze, Jr.  
Minority Organization Leader.....Sid W. Morrison  
Republican Caucus Chairman.....Irving Newhouse  
Minority Whip.....A. J. "Bud" Pardini  
Republican Caucus Secretary.....Lois North  
Assistant Minority Floor Leader.....Axel Julin  
Assistant Minority Floor Leader.....Bob Curtis  
Republican Caucus Coordinator.....John Rabel  
Assistant Minority Whip.....Kenneth O. Eikenberry

APPENDIX  
HOUSE ROSTER - 1973  
FORTY-THIRD SESSION

LEONARD A. SAWYER, Speaker

DEAN R. FOSTER, Chief Clerk

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Politi- tics	County	Previous Sessions served
Adams, A. A.....	3418 Shorecliff Dr. N.E. Tacoma 98422	72	Washington	Chiropractor	27 D	Pierce, pt.....		1969-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
Amen, Otto.....	Rt. 1, Box 45 Ritzville 99169	60	Washington	Farmer, Pharmacist	9 R	Adams, Asotin, Garfield, Columbia, pt. Grant, part Whitman, part..		1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.
Anderson, Eric O.....	627 Grand Ave. Hoquiam 98550	70	New Zealand	Retired	19 D	Pacific Grays Harbor,pt.		1961-61 Ex.-63-63 Ex. 65-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Bagnariol, John.....	7830 So. 128th Seattle 98178	40	Washington	Insurance	11 D	King, part.....		1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.
Barden, Paul.....	1112 S. 168th St. Seattle 98148	36	Washington	Banker	33 R	King, part.....		1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.
Bauer, Albert.....	13611 N.E. 20th Vancouver 98664	44	Montana	Teacher	49 D	Clark, part.....		1971-71 Ex.- 72 Ex.



Bausch, Del.....	1359 So. 2nd Ave. Tumwater 98502	37	Washington	Longshoreman	22 D	Thurston, pt....	None	
								1961-61 Ex.-63-63 Ex. 65-65 Ex.-67-67 Ex.-
Beck, C. W. "Red"...	2400 Beach Drive Port Orchard	64	Indiana	Property Manager	26 D	Kitsap, part Pierce, part....	71 Ex.-72 Ex.	69-69 Ex.-70 Ex.-71-
Bender, Rick S.....	3511 N.E. 158th Seattle 98155	23	Alaska	Student	1 D	King, part Snohomish, pt...	None	
Benitz, Max E.....	Rt. 2, Box 181 Prosser 99350	56	Kansas	Agriculture	8 R	Yakima, part Benton, part....	71-71 Ex.-72 Ex.	1969-69 Ex.-70 Ex.
Berentson, Duane L.....	P. O. Box 426 Burlington 98233	44	Washington	Broker, Dealer in Securities	40 R	San Juan Skagit. Whatcom, part...	72 Ex.	1963-63 Ex.-65-65 Ex. 67-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex.
Blair, Scott.....	8712 25th N.E. Seattle 98115	42	Washington	Mechanical Engineer	46 R	King, part.....	1971-71 Ex.-72 Ex.	
Bluechel, Alan.....	12534 68th Ave.N.E. Kirkland 98033	48	Canada	Pres.-Loctwall Corporation	45 R	King, part.....	72 Ex.	1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex.
Brown, Arthur C.....	16020 Densmore N. Seattle 98133	51	Georgia	Systems Analyst	1 R	King, part Snohomish, pt....	71-71 Ex.-72 Ex.	1969-69 Ex.-70 Ex.-
Ceccarelli, Dave.....	P. O. Box 6591 Seattle 98116	39	Washington	Real Estate	34 D	King, part.....	72 Ex.	1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Charette, Robert L.....	P. O. Box 63 Aberdeen 98520	49	Washington	Attorney	19 D	Pacific, Grays Harbor,pt.		Senate 1963-63 Ex.- 65-65 Ex. House 1967- 67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Charnley, Donn.....	19344 11th Ave.NW Seattle 98177	44	Michigan	Professor	44 D	King, part		1971-71 Ex.-72 Ex.
Chatalas, Wm. "Bill"....	4803 42nd So. Seattle 98118	65	Turkey	Real Estate & Business Consultant	35 D	King, part.....		1961-61 Ex.-63-63 Ex. 65-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
Clemente, Art.....	420 240th S.E. Bothell 98011	47	Washington	Cement Mason	39 D	King, part Snohomish, pt...		None
Conner, Paul H.....	Rt. 4, Box 355 Sequim 98382	47	Washington	Real Estate Logger	24 D	Clallam Mason Jefferson Thurston, pt....		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.
Cunningham, John E.....	P.O. Drawer 89307 Zenith 98188	41	Illinois	Manufacturer	33 R	King, part.....		None
Curtis, Robert "Bob".	P.O. Box 0188 East Wenatchee	39	Washington	Owner/Mgr. Supermarket	12 R	Chelan, Douglas Grant, part Okanogan, pt....		1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.

Douthwaite, Jeff.....	5518 31st N.E. Seattle 98105	43	Canada	Professor	43 D	King, part.....	1971-71 Ex.-72 Ex.
Ehlers, Wayne.....	170 Tule Lake Rd.E. Parkland 98445	34	Washington	Educator	2 D	Pierce, part Thurston, part..	None
Eikenberry, Kenneth O....	3rd & Lenora Bldg. Seattle 98121	40	Washington	Attorney	36 R	King, part.....	1971-71 Ex.-72 Ex.
Ellis, Edward G.....	304 N. 61st Ave. Yakima 98902	30	Washington	Student	14 D	Yakima, part....	None
Eng, John.....	2805 S.Byron St. Seattle 98144	30	Hong Kong	Accountant	37 D	King, part.....	None
Erickson, Phyllis K....	P.O. Box 44443 Tacoma 98444	49	Texas	Homemaker	2 D	Pierce, part Thurston, part..	None None
Flanagan, S.E. "Sid"...	Rt. 1, Box 205 Quincy 98848	63	Washington	Farmer Cattleman	13 R	Kittitas Grant, part Yakima, part....	1961-61 Ex.-63-63 Ex. 65-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Fortson, Eleanor A....	4008 S.W. Camano Dr. Camano Island	65	Washington	Homemaker	10 D	Island Snohomish, pt...	None
Freeman, Jr. Kemper.....	P. O. Box 1012 Bellevue 98009	31	Washington	Shopping Center Leasing	48 R	King, part.....	None
Gaines, Robert E.....	24 B St. N.E. Auburn 98002	49	Montana	Mgr-Auburn Chamber/Com.	30 D	King, part.....	None
Gallagher, P.J. "Jim"...	125 S. 72nd Tacoma 98408	57	Washington	Public Relations	29 D	Pierce, pt.....	1961-61 Ex.-63-63 Ex. 65-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Garrett, Donald G.....	Rt. 8, Box 750 Yakima 98902	47	Oregon	Real Estate	14 R	Yakima, part....		1972 Ex.
Gaspard, Marc.....	P. O. Box 295 Puyallup 98371	24	Washington	Student	25 D	King, part Pierce, pt.....		None
Gilleland, James.....	3234 Hunts Pt. Rd. Bellevue 98004	55	Washington	Owner-Pres. Oil Company	48 R	King, part.....		1971-71 Ex.-72 Ex.
Goltz, H. A.....	3003 Vallètte Bellingham 98225	48	Minnesota	College Administrator	42 D	Whatcom, part... Kittitas Grant, pt.		None
Hansen, Frank "Tub"...	9018A McConnell Dr. Moses Lake 98837	58	Washington	Rancher	13 D	Yakima, pt.....		None
Hansey, Donald G.....	1551 Lakewood Lane Bellingham 98225	43	Washington	Poultry Hatcheryman	40 R	Whatcom.....		1971-71 Ex.-72 Ex.
Haussler, Joe D.....	Box 949 Omak 98841	70	Texas	Orchardist	7 D	Ferry, Lincoln, Pend Oreille Stevens Okanogan, pt. Spokane, part...		1963-63 Ex.-65- 65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Hayner, Jeannette C..	830 E. Chestnut Walla Walla 99362	53	Oregon	Homemaker	16 R	Franklin Walla Walla Columbia, pt....		None

Hendricks, John L.....	1923 Water St. Olympia 98501	59	Washington	Pharmacist	22 R	Thurston, pt....	None
Hoggins, Dale E.....	21826 95th Ave.W. Edmonds 98020	40	Washington	Elementary Principal	21 R	Snohomish, pt...	1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex.-72 Ex.
Hurley, Margaret.....	730 E. Boone Ave. Spokane 99202		Minnesota	Teacher	3D	Spokane, pt.....	1953-53 Ex.-55-55 Ex. 57-59-59 Ex.-61-61 Ex. 63-63 Ex.-65-65 Ex. 67-67 Ex.-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Jastad, Elmer.....	Box 67 Morton 98356	66	Washington	Pharmacist	20 D	Lewis, Wahkiakum Cowlitz, part Pacific, part Thurston, pt....	1965-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Johnson, Doris J.....	737 Tacoma Pl. Kennewick 99336	49	Washington	Educator	8 D	Yakima, part Benton, part....	1965-65 Ex.-67-67 Ex. 71-71 Ex.-72 Ex.
Jueling, Helmut L.....	5215 South Tacoma Way Tacoma 98409	59	Nebraska	Owner, White Hand Linen Supply Co.	28 R	Pierce, part....	1961-61 Ex.-63-63 Ex. 65-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Julin, Axel C.....	4615 Lk. Wn. Blvd. Bellevue 98006	54	Idaho	Lawyer	41 R	King, part.....	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Kalich, Hugh.....	P. O. Box 278 Toledo 98591	51	Washington	Real Estate	20 D	Lewis Wahkiakum Cowlitz, part Pacific, part Thurston, pt....	1965-65 Ex.-67- 67 Ex.-69-69 Ex. 70 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Kelley, Richard J.....	P. O. Box 3302 Tacoma 98499	27	Washington	Attorney	28 D	Pierce, part....	None	
Kilbury, Charles D.....	Box 2482 Pasco 99302	53	Washington	Insurance Broker	16 D	Franklin Walla Walla Columbia, pt....	1971-71 Ex.-72 Ex.	
King, Richard A.....	309 77th Pl. SW Everett 98201	38	Washington	College Teacher	38 D	Snohomish,pt....	1965-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex.-71- 71 Ex.-72 Ex.	
Knowles, Walt O.....	E. 8423 Liberty Spokane 99206	56	Washington	Attorney	4 D	Spokane, pt. Whitman, pt.....	1971-71 Ex.-72 Ex.	
Kopet, Jerry C.....	1728 S. Lincoln Spokane 99203	61	Oregon	Pharmacist	6 R	Spokane, part...	1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex.-72 Ex.	
Kraabel, Paul B.....	7728 29th NE Seattle 98115	39	Washington	Electronic Engineer	46 R	King, part.....	1971-71 Ex.-72 Ex.	
Kuehnle, James P.....	S 1122 Skyline Pl. Spokane 99206	48	Iowa	Real Estate	4 R	Spokane, part Whitman, part...	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.	
Laughlin, Eugene L.....	P.O. Box 534 Camas 98607	34	Illinois	Teacher	17 D	Klickitat Skamania Clark, part.....	None	

Leckenby, Bill.....	9105 Fauntleroy SW Seattle 98136	62	Washington	Chairman Leckenby Co.	34 R	King, part.....	1967-67 Ex.-69-69 Ex. 70 Ex.
Luders, Edward T.....	N 5620 Moore Spokane 99208	44	Washington	Teacher	5 D	Spokane, pt.....	1971-71 Ex.-72 Ex.
Lysen, King.....	12844 Shorecrest Dr. S. W. Seattle 98146	30	Minnesota	Program Coordi- nator-Seattle Youth Division	31 D	King, part.....	1971-71 Ex.-72 Ex.
Martinis, John.....	2304 8th St. Everett 98201	42	Washington	Retail Merchant	38 D	Snohomish, pt...	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Matthews, Gary Lee.....	14157 123rd Ave.NE Kirkland 98033	28	Washington	Health Care Administrator	45 R	King, part.....	None
Maxie, Peggy Joan...	3302 E. Pine, Seattle 98122	36	Texas	Student/Family Counselor	37 D	King, part.....	1971-71 Ex.-72 Ex.
May, William J.S...	W 711 Waverly Pl. Spokane 99205	70	England	Exec. Secretary Labor Council	3 D	Spokane, part...	1961-61 Ex.-63-63 Ex. 65-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex.-71- 71 Ex.-72 Ex.
McCormick, Geraldine....	W 1829 Northridge Ct. Spokane 99208		Washington	Homemaker	5 D	Spokane, part...	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Moon, Charles.....	Rt. 2, Box 427A Snohomish 98290	49	Wyoming	Veterinarian	39 D	King, part Snohomish, pt...		1963-63 Ex.-65-65 Ex. 67-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex.- 72 Ex.
Morrison, Sid W.....	Rt. 1, Box 220AA Zillah 98953	39	Washington	Fruit Grower	15 R	Yakima, pt.....		1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex.- 72 Ex.
Nelson, Gary.....	18423 High St. Edmonds 98020	36	Washington	Engineer Supr. Technical Ed.	21 R	Snohomish, pt...		None
Newhouse, Irving.....	Rt.1, Box 130 Mabton 98935	52	Washington	Farming, Cattle Feeding	15 R	Yakima, part....		1965-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
North, Frances.....	Box 441 North Bend 98045	53	Washington	Teacher & Realtor	47 D	King, part.....		None
North, Lois.....	10126 Radford NW Seattle 98177		California	Homemaker	44 R	King, part.....		1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
O'Brien,	1305 Joseph Vance Bldg.							1941-43-44 Ex.-45-49 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.



John L.....Seattle 98101	61	Washington	CPA	35 D	King, part.....71-71 Ex.-72 Ex.
Pardini, E 1625 20th			Bank		1969-69 Ex.-70 Ex.
A. J.....Spokane 99203	40	Penn.	Executive	6 R	Spokane, part...71-71 Ex.-72 Ex.
Paris, 620 Oregon Way					Cowlitz, part
William.....Longview 98632	45	Oklahoma	Minister	18 R	Clark, part.....1971-71 Ex.-72 Ex.
Parker, 5434 So. I			Medical Service		
Mike.....Tacoma 98408	25	Washington	Representative	29 D	Pierce, part.....None
					Adams, Asotin
					Garfield
					Columbia, pt.
Patterson, NE 400 Campus			Director Alumni		Grant, part
E. G. "Pat"..Pullman 99163	53	Washington	Relations	9 R	Whitman, part...None
					1959-59 Ex.-61-61 Ex.
					63-63 Ex.-65-65 Ex.
					67-67 Ex.-69-69 Ex.
					70 Ex.-71-71 Ex.
Perry, 1154 N 92nd St.			Electrical		
Robert A.....Seattle 98103	51	New York	Construction	32 D	King, part.....72 Ex.
Polk, 7220 92nd SE					
William M....Mercer Island	37	Texas	Architect	41 R	King, part.....1971-71 Ex.-72 Ex.
Pullen, 22844 172nd SE					
Kent E.....Kent 98031	30	Texas	Chemist	47 R	King, part.....None
Rabel, 241 So. Lander			Machinery		
John B.....Seattle 98134	31	Washington	Distributor	43 R	King, part.....1971-71 Ex.-72 Ex.
Randall, 3040 Marine Dr.					1969-69 Ex.-70 Ex.
Dr. Robt. W..Bremerton 98313	51	Illinois	Optometrist	23 D	Kitsap, part....71-71 Ex.-72 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Savage, Charles R....	2011 King St. Shelton 98584	66	Wisconsin	Logging	24 D		Clallam Mason Jefferson Thurston, pt....	1939-41-43-44 Ex. 51-51 Ex.-51 2nd Ex. 53-53 Ex.-55-55 Ex. 57-63-63 Ex.-65-65 Ex. 69-69 Ex.-70 Ex.-71- 71 Ex.-72 Ex.
Sawyer, Leonard A....	2723 E. Main Puyallup 98371	47	Washington	Attorney	25 D		King, part Pierce, part.... Ferry, Lincoln Pend Oreille Stevens Okanogan, part	1955-55 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.-73 Ex.
Schumaker, Wm. "Bill"...	208 W. 5th Colville 99114	57	Washington	Sporting Goods	7 R		Spokane, part...	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Shinpoeh, A.N. "Bud"...	361 Maple NW Renton 98055	48	Oklahoma	Industrial Engineer	11 D		King, part.....	1970 Ex.-71-71 Ex. 72 Ex.
Smith, Rick.....	Rt. 4, Box 951F Bremerton	31	Oregon	Attorney	23 D		Kitsap, part....	None
Smythe, Richard L....	5204 DuBois Dr. Vancouver 98661	46	Washington	Mgr/Pacific N. W. Bell	49 R		Clark, part.....	1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex.-72 Ex
Sommers, Helen.....	2516 14th W. Seattle 98119	40	New Jersey	Economist	36 D		King, part.....	None

Swayze, Jr.	4107 10th St.NW						Kitsap, part	1967-67 Ex.-69-69 Ex.
Thomas A.....	Gig Harbor 98335	41	Washington	Attorney	26	R	Pierce, part....	70 Ex.-71-71 Ex.-72 Ex. 1965-65 Ex.-67-67 Ex.
Thompson,	112 Pleasant Hill						Cowlitz, part	69-69 Ex.-70 Ex.-71-
Alan.....	Kelso 98626	45	Iowa	Publisher	18	D	Clark, part.....	71 Ex.-72 Ex.
Tilly,	1509 Jefferson St.						Chelan, Douglas	
Earl F.....	Wenatchee 98801	38	Oregon	Mgr/Tilly Equipment Co.	12	R	Grant, part Okanogan, pt....	None
Valle,	1434 S.W. 137th							
Georgette....	Seattle 98166	48	Minnesota	Homemaker	31	D	King, part.....	1965-65 Ex.
Van Dyk,	7585 Noon Rd.							
Dan.....	Lynden 98264	29	Washington	Owner/Opr. Vandy Farm	42	D	Whatcom part....	1971-71 Ex.-72 Ex.
Warnke,	2723 E. Main							
Frank J.....	Puyallup 98371	39	Montana	Exec. Dir. Pub. School Emp.	30	D	King, part.....	1965-65 Ex.
Williams,	6501 Phinney No.							
Alvin C.....	Seattle 98103	42	No. Dakota	Architect	32	D	King, part.....	1970-71-71 Ex. 72 Ex.
Wilson,	P.O. Box 145							
Simeon "Sim".	Marysville 98270	45	Oregon	Newspaper Publisher	10	R	Island Snohomish, pt...	None
Wojahn,	3592 E. Kay St.							
Lorraine.....	Tacoma 98404	52	Washington	Public Relations	27	D	Pierce, part....	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Zimmerman,	1432 NE 6th Ave.							
Harold S.....	Camas 98607	49	No.Dakota	Newspaper Ed.- Publisher	17	R	Klickitat Skamania Clark, part.....	1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex.- 72 Ex.

NAME OF ELECTED OFFICER	Title	Residence	County	Birthplace	Age	Occupation	Previous Legislativ Sessions Served
Foster, Dean R.....	Chief Clerk	1908 S. Washington Olympia 98501	Thurston	Washington	31	Research Analyst.....	None
Wilson, Donald R....	Assistant Chief Clerk	Rt. 3, Box 271 Olympia 98501	Thurston	Washington	51	Locomotive Engineer.....	Senate 1959-1970 House 1970-1973
Olsen, Ray L.....	Sergeant at Arms	4212 E. Edgewater Seattle 98112	King	Oregon	67	Retired.....	House (as member) 1951-1967

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STANDING COMMITTEES OF THE HOUSE  
OF REPRESENTATIVES, 1973

LEONARD A. SAWYER, Speaker  
DEAN R. FOSTER, Chief Clerk  
  
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Agriculture-(11) Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Charette, Hansey, Haussler, Laughlin, Schumaker, Tilly, Van Dyk.

Commerce-(18) Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Curtis, Gallagher, Garrett, Gilleland, Juelling, Kuehnle, Leckenby, O'Brien, Pardini, Perry, Randall, Williams, Wilson.

Constitution and Elections-(11) King, Chairman; Forston, Vice Chairwoman; Barden, Brown, Conner, Eng, Erickson, Hayner, Knowles, Maxie, Rabel.

Ecology-(16) Luders, Chairman; Smith, Vice Chairman; Bauer, Beck, Bluechel, Charnley, Douthwaite, Goltz, Kraabel, McCormick, Nelson, North (Lois), Pullen, Valle, Wilson, Zimmerman.

Education-(18) Bauer, Chairman; Ellis, Vice Chairman; Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hayner, Hendricks, Hoggins, Johnson, Lysen, Polk, Pullen, Smythe, Tilly, Warnke.

Financial Institutions-(15) Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Barden, Berentson, Blair, Chatalas, Eikenberry, Kelley, Leckenby, Luders, Moon, Pardini, Parker, Van Dyk.

Higher Education-(15) Maxie, Chairwoman; Goltz, Vice Chairman; Anderson, Benitz, Charnley, Erickson, Freeman, King, Knowles, Kraabel, Patterson, Rabel, Valle, Wilson, Wojahn.

Judiciary-(12) Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers, Swayze.

Labor-(11) Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, Cunningham, Freeman, Kopet, Matthews, May, Morrison, Parker.

Local Government-(20) Haussler, Chairman; Douthwaite, Subcommittee Chairman-Cities; Johnson, Subcommittee Chairwoman-Special Districts; Kalich, Subcommittee Chairman-Counties; Adams, Amen, Blair, Kuehnle, Laughlin, Martinis, McCormick, Nelson, North (Frances), North (Lois), O'Brien, Paris, Patterson, Sommers, Smythe, Zimmerman.

Natural Resources-(15) Martinis, Chairman; Bausch, Vice Chairman; Anderson, Clemente, Conner, Flanagan, Gilleland, Hansen, Hansey, Haussler, Julin, Kalich,

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Kilbury, Schumaker, Tilly.

Parks and Recreation-(10) Hurley, Chairwoman; Gaines, Vice Chairman; Ellis, Garrett, Hoggins, Matthews, North (Frances), Paris, Randall, Savage.

Rules-(16) Sawyer, Chairman; O'Brien, Vice Chairman; Anderson, Berentson, Charette, Chatalas, Conner, Flanagan, Gallagher, Jastad, Juelling, May, Morrison, Newhouse, Swayze, Thompson.

Social and Health Services-(19) Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Eng, Fortson, Freeman, Hendricks, Jastad, Johnson, Kelley, Matthews, May, Paris, Rabel, Savage, Smythe, Wojahn, Zimmerman.

State Government-(16) Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Cunningham, Curtis, Ehlers, Gaines, Hendricks, Hurley, Kopet, Lysen, Moon, Perry, Polk, Thompson.

Transportation and Utilities-(26) Perry, Chairman; Beck, Subcommittee Chairman-Highways; Charnley, Subcommittee Chairman-Public Transportation and Planning; McCormick, Subcommittee Chairwoman-Utilities; Amen, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Martinis, Nelson, Patterson, Pullen, Schumaker, Swayze.

Ways and Means-(43) Bagnariol, Chairman.

Appropriations-(25) Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Barden, Bausch, Blair, Brown, Charette, Chatalas, Curtis, Ehlers, Gaspard, Hansey, Hoggins, Juelling, Kopet, Luders, Morrison, North (Lois), Polk, Smith, Thompson, Valle, Van Dyk, Warnke.

Revenue-(19) Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Benitz, Bluechel, Eikenberry, Erickson, Flanagan, Goltz, Hurley, Julin, Kilbury, King, Kuehne, Moon, Newhouse, Pardini, Sawyer, Williams.

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INDIVIDUAL COMMITTEE ASSIGNMENTS  
HOUSE OF REPRESENTATIVES, 1973

ADAMS, A. A.-Social and Health Services, Chairman; Commerce; Local Government.

AMEN, OTTO-Agriculture; Local Government; Transportation and Utilities.

ANDERSON, ERIC O.-Higher Education; Natural Resources; Rules.

BAGNARIOL, JOHN-Ways and Means, Chairman; Commerce; Financial Institutions.

BARDEN, PAUL-Constitution and Elections; Financial Institutions; Ways and Means-Appropriations.

BAUER, ALBERT-Education, Chairman; Ecology; State Government.

BAUSCH, DEL-Natural Resources, Vice Chairman; Labor; Ways and Means-Appropriations.

BECK, C. W. "RED"-Transportation and Utilities, Subchairman-Highways; Ecology; Labor.

BENDER, RICK S.-State Government, Vice Chairman; Education; Transportation and Utilities.

BENITZ, MAX-Agriculture; Higher Education; Ways and Means - Revenue.

BERENTSON, DUANE-Financial Institutions; Rules; Transportation and Utilities.

BLAIR, SCOTT-Financial Institutions; Local Government, Ways and Means-Appropriations.

BLUECHEL, ALAN-Ecology; State Government; Ways and Means-Revenue.

BROWN, ARTHUR C.-Constitution and Elections; Education; Ways and Means-Appropriations.

CECCARELLI, DAVE-Financial Institutions, Chairman; Commerce; Transportation and Utilities.

CHARETTE, ROBERT L.-Agriculture; Rules; Ways and Means-Appropriations.

CHARNLEY, DONN-Transportation and Utilities, Subchairman-Public Transportation and Planning; Ecology; Higher Education.

CHATALAS, WILLIAM "BILL"-Financial Institutions; Rules, Ways and Means-Appropriations.

CLEMENTE, ART-Education; Natural Resources; Transportation and Utilities.

CONNER, PAUL H.-Constitution and Elections; Natural Resources; Rules.

CUNNINGHAM, JOHN E. "JACK"-Labor; Social and Health Services; State Government.

CURTIS, BOB-Commerce; State Government; Ways and Means-Appropriations.

DOUTHWAITE, JEFF-Local Government, Subchairman-Cities; Ecology; Transportation and Utilities.

EHLERS, WAYNE-Education; State Government; Ways and Means-Appropriations.

EIKENBERRY, KENNETH O.-Financial Institutions; Judiciary; Ways and Means-Revenue.

ELLIS, EDWARD G.-Education, Vice Chairman; Parks and Recreation; Social and Health Services.

ENG, JOHN-Constitution and Elections; Education; Social and Health Services.

ERICKSON, PHYLLIS K.-Constitution and Elections; Higher Education; Ways and Means-Revenue.

JOURNAL OF THE HOUSE

FLANAGAN, S. E. "SID"-Natural Resources; Rules: Ways and Means - Revenue.

FORTSON, ELEANOR A.-Constitution and Elections, Vice Chairwoman; Education; Social and Health Services.

FREEMAN, JR., KEMPER-Higher Education; Labor; Social and Health Services.

GAINES, ROBERT E. "BOB"-Parks and Recreation, Vice Chairman; State Government; Transportation and Utilities.

GALLAGHER, P. J. "JIM"-Commerce; Rules; Transportation and Utilities.

GARRETT, DONALD G.-Commerce; Parks and Recreation; Transportation and Utilities.

GASPARD, MARC-Financial Institutions, Vice Chairman; Judiciary; Ways and Means - Appropriations.

GILLELAND, JAMES E.-Commerce; Natural Resources; Transportation and Utilities.

GOLTZ, H. A. "BARNEY"-Higher Education, Vice Chairman; Ecology; Ways and Means-Revenue.

HANSEN, FRANK "TUB"-Agriculture, Vice Chairman; Natural Resources; Transportation and Utilities.

HANSEY, DONALD G.-Agriculture; Natural Resources; Ways and Means-Appropriations.

HAUSSLER, JOE D.-Local Government, Chairman; Agriculture; Natural Resources.

HAYNER, JEANNETTE C.-Constitution and Elections; Education; Judiciary.

HENDRICKS, JOHN L.-Education; Social and Health Services; State Government.

HOGGINS, DALE-Education; Parks and Recreation; Ways and Means-Appropriations.

HURLEY, MARGARET-Parks and Recreation, Chairwoman; State Government; Ways and Means-Revenue.

JASTAD, ELMER-Commerce, Vice Chairman; Rules; Social and Health Services.

JOHNSON, DORIS J.-Local Government, Subchairwoman-Special Districts; Education; Social and Health Services.

JUELING, HELMUT L.-Commerce; Rules; Ways and Means-Appropriations.

JULIN, AXEL-Judiciary; Natural Resources; Ways and Means-Appropriations.

KALICH, HUGH-Local Government, Subchairman-Counties; Natural Resources; Transportation and Utilities.

KELLEY, RICHARD J.-Judiciary, Vice Chairman; Financial Institutions; Social and Health Services.

KILBURY, CHARLES D.-Agriculture, Chairman; Natural Resources; Ways and Means-Revenue.

KING, RICHARD "DICK"-Constitution and Elections, Chairman; Higher Education; Ways and Means-Revenue.

KNOWLES, WALT O.-Judiciary, Chairman; Constitution and Elections; Higher Education.

KOPET, JERRY C.-Labor; State Government; Ways and Means-Appropriations.

KRAABEL, PAUL-Ecology, Higher Education; Transportation and Utilities.

KUEHNLE, JAMES P.-Commerce; Local Government; Ways and Means-Revenue.

LAUGHLIN, EUGENE L.-Agriculture; Local Government; Transportation and Utilities.

LECKENBY, BILL-Commerce; Financial Institutions;



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Transportation and Utilities.

LUDERS, EDWARD T.-Ecology, Chairman; Financial Institutions; Ways and Means-Appropriations.

LYSEN, KING-Education; State Government; Transportation and Utilities.

MARTINIS, JOHN-Natural Resources, Chairman; Local Government; Transportation and Utilities.

MATTHEWS, GARY LEE-Labor; Parks and Recreation; Social and Health Services.

MAXIE, PEGGY JOAN-Higher Education, Chairwoman; Constitution and Elections; Judiciary.

MAY, WILLIAM J. S. "BILL"-Labor; Rules; Social and Health Services.

MCCORMICK, GERALDINE-Transportation and Utilities, Subchairwoman - Utilities; Local Government; Ecology.

MOON, CHARLES-Financial Institutions; State Government; Ways and Means-Revenue.

MORRISON, SID W.-Labor; Rules, Ways and Means-Appropriations.

NELSON, GARY A.-Ecology; Local Government; Transportation and Utilities.

NEWHOUSE, IRVING-Judiciary; Rules; Ways and Means-Revenue.

NORTH, FRANCES-Ways and Means - Appropriations, Vice Chairwoman; Local Government; Parks and Recreation.

NORTH, LOIS-Ecology; Local Government; Ways and Means-Appropriations.

O'BRIEN, JOHN L.-Rules, Vice Chairman; Commerce; Local Government.

PARDINI, A. J. "BUD"-Commerce; Financial Institutions; Ways and Means-Revenue.

PARIS, WILLIAM "BILL"-Local Government; Parks and Recreation; Social and Health Services.

PARKER, MIKE-Social and Health Services, Vice Chairman; Financial Institutions; Labor.

PATTERSON, E. G. "PAT"-Higher Education; Local Government; Transportation and Utilities.

PERRY, ROBERT A.-Transportation and Utilities, Chairman; Commerce; State Government.

POLK, WILLIAM-Education; State Government; Ways and Means - Appropriations.

PULLEN, KENT E.-Ecology; Education; Transportation and Utilities.

RABEL, JOHN-Constitution and Elections; Higher Education; Social and Health Services.

RANDALL, ROBERT-Ways and Means-Revenue, Chairman; Commerce; Parks and Recreation.

SAVAGE, CHARLES R.-Labor, Chairman; Parks and Recreation; Social and Health Services.

SAWYER, LEONARD A.-Rules, Chairman; Ways and Means-Revenue.

SCHUMAKER, WILLIAM "BILL"-Agriculture; Natural Resources; Transportation and Utilities.

SHINPOCH, A. N. "BUD"-Ways and Means - Appropriations, Chairman; Judiciary.

SMITH, RICK-Ecology, Vice Chairman; Judiciary; Ways and Means-Appropriations.

SMYTHE, DICK-Education; Local Government; Social and Health Services.

SOMMERS, HELEN-Ways and Means - Revenue, Vice Chairwoman;

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Judiciary; Local Government.

SWAYZE, JR., THOMAS A.-Judiciary; Rules; Transportation and Utilities.

THOMPSON, ALAN-Rules; State Government; Ways and Means-Appropriations.

TILLY, EARL F.-Agriculture; Education; Natural Resources.

VALLE, GEORGETTE-Ecology; Higher Education; Ways and Means-Appropriations.

VAN DYK, DAN-Agriculture; Financial Institutions; Ways and Means-Appropriations.

WARNKE, FRANK J.-Labor, Vice Chairman; Education; Ways and Means-Appropriations.

WILLIAMS, AL-State Government, Chairman; Commerce; Ways and Means-Revenue.

WILSON, SIMEON R. "SIM"-Commerce; Ecology; Higher Education.

WOJAHN, LORRAINE-Commerce, Chairwoman; Higher Education; Social and Health Services.

ZIMMERMAN, HAL-Ecology; Local Government; Social and Health Services.

STATUTORY COMMITTEE APPOINTMENTS  
1973-75

AMERICAN REVOLUTION BICENTENNIAL COMMITTEE  
(RCW 43.125.010)

Representatives	Senators
C. W. "Red" Beck	George W. Scott
Hal Zimmerman	Nat W. Washington
	Other Appointees
	Bruce LeRoy, Chairman
Dr. Bernard E. Bobb	Dr. Charles H. Odegaard
Dr. John Brougher	Dorothy Prior
Ruby Chow	Rev. Andrew M. Prouty
Dr. James Furman	Maryan Reynolds
John F. Gordon	Glynn Ross
Frank Hayes	William H. Trogdon
Al Hunter	Joan E. VanDivort
Judge Bert C. Kale	George Whitney
A. Ludlow Kramer	Frank Wright
Walter E. Lawrie	

ARTS COMMISSION, WASHINGTON STATE  
(RCW 43.46.020)

Representative	Senator
William Polk	Fred H. Dore
	Other Appointees
	James Haseltine, Executive Director
Robert Buchanan	Jack I. Mayer
Kenneth Callahan	Delbert McBride
Howard Deming	Mrs. Barbara Sands
Paul Friedlander	Mrs. Stewart Semon
Thomas Givan	Mrs. Jean Sprague
Mrs. Robert Golberg	Mrs. Bruce (Mary) Stevenson
Mrs. Paul G. Harper	Dr. Alfred J. Stojowski
Sherman Huffine	John Tenold
Alan Liddle	Donald G. Williams
	Mrs. Thomas O. Williams

BUDGET COMMITTEE, LEGISLATIVE  
(RCW 44.28.010)

Representatives	Senators
Thomas R. Hazzard, Legislative Auditor	
A. N. (Bud) Shinpoch, Chmn.	R. Frank Atwood, Vice Chmn.
John Bagnariol	Damon R. Canfield
William Chatalas, Secretary	Hubert F. Donohue
Robert Curtis, Assist. Sec.	Booth Gardner
Jerry C. Kopet, Exec. Com.	Daniel G. Marsh
Sid W. Morrison	Charles E. Newschwander
William Polk	Gary M. Odegaard
Alan Thompson	George W. Scott

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COLUMBIA INTERSTATE COMPACT COMMISSION  
(RCW 43.57.010)

Representatives	Senators
Eugene L. Laughlin	Al Henry
Irving Newhouse	Jim Matson
Other Appointees	
H. Maurice Ahlquist	

CRIME (ORGANIZED) INTELLIGENCE ADVISORY BOARD  
(RCW 43.43)

Representatives	Senators
Wayne Ehlers	R. Frank Atwood
Ken Eikenberry	Martin Durkan
Jeannette Hayner	Pete Francis
Helen Sommers	Harry B. Lewis

EDUCATION COMMISSION OF THE STATES  
(RCW 28A.92.020)

Representative	Senator
Edward G. Ellis	Gordon Sandison
Other Appointees	
Governor Daniel J. Evans, Chairman	
Dr. Frank Brouillet	John Mundt
Mrs. Jerome Freiberg	Philip B. Swain
Dr. James Furman	

ETHICS COMMITTEE, LEGISLATIVE  
(RCW 44.60.020)

Representatives	Senators
Robert A. Perry, House Chairman	Robert C. Bailey, Senate Chairman
H. A. "Barney" Goltz	Fred H. Dore
John L. Hendricks	Charles E. Newschwander
William "Bill" Paris	Robert W. Twigg
Other Appointees	
House Lay Members	Senate Lay Members
Robert M. Schaefer, Vice Chairman	Bruce Helberg, Chairman
Gary Bloomquist, Secretary	Herbert Hamblen
Donald H. Bond	Rev. Charles Howard Perry
Dr. Hugh Bone	John A. Petrich

EXPO '74 COMMISSION  
(RCW 43.96B)

Representatives	Senators
Edward T. Luders	William S. Day
William J.S. "Bill" May	James E. Keefe
A. J. "Bud" Pardini	George Sellar
	Robert W. Twigg
Other Appointees	
Rod Lindsay, Chairman of the Board	
Luke Williams, Jr., Chmn. Wn. State Commission	
James P. McGoldrick, Subcommittee Chairman	
W. O. Allen	J. H. Leuthold
Lt. Gov. John A. Cherberg	Mayor David Rogers
Gene Christie	Donn Spencer
Neil R. Fosseen	William F. Schultz
Clair Jones	Allen Tulle

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FACILITIES AND OPERATIONS COMMITTEE

Representatives	Senators
John L. O'Brien, Chairman	Gordon Sandison, Chairman
House Committee	Senate Committee
C. W. "Red" Beck	R. Frank Atwood
Elmer Jastad	Robert C. Bailey
William M. Polk	Harry B. Lewis
John B. Rabel	August P. Mardesich

FOREST TAX COMMITTEE  
(RCW 84.33.180)

Representatives	Senators
Max E. Benitz	Martin J. Durkan, Co-Chmn.
Alex C. Julin	Harry B. Lewis, Co-Chmn.
H. A. "Barney" Goltz	Hubert F. Donohue
Alan Thompson	Jim Matson
Other Appointees	
Dr. Frank Brouillet	Peter E. Overton
Bert Cole	Sidney Parker
George Kinnear	Fran Rutherford
Norman R. McDonnell	

GAMBLING COMMISSION, WASHINGTON STATE  
(HB 711, Ch. 218, Laws 1973 1st ex. sess.)

Representatives	Senators
James P. Kuehnle	James E. Keefe
Paul H. Conner	Perry B. Woodall
Other Appointees	
William E. "Al" Bjork, Director	
Camden Hall, Chairman	Oliver G. Furseth
Albert Pasquan, Vice Chmn.	Andrew E. Zuarri
Michael E. Donohue	

HIGHER EDUCATION, COUNCIL ON  
(RCW 28B.80.040)

Representative	Senators
Richard L. Smythe	Gordon Sandison
	George W. Scott
Other Appointees	
Richard Albrecht	Dr. David McKenna
J. Scott Barron	Wallace G. Miller
Dr. James E. Brooks	John Mundt
Dr. Philip Cartwright	Mrs. Ruth Shepherd
Goodwin Chase	Dr. Emerson C. Shuck
Dr. Charles J. Flora	Dr. Glenn Terrell
Mrs. David Gaiser	Very Rev. Richard E. Twohy
Richard Hemstad	Richard P. Wallenberg
Dr. Merle Landerholm	Walter B. Williams
Carlton Lewis	Marion E. Wilson
Dr. Charles J. McCann	

INSURANCE BOARD, STATE EMPLOYEES'  
(RCW 41.05.020)

Representative	Senator
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Other Appointees	
Leonard Nord, Chairman	
Dean Clabaugh	Jack Meersman
Robert Hester	Norm Schut
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JUDICIAL COUNCIL  
(RCW 2.52.010)

Representatives

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Walt Knowles  
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Senators

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Pete Francis  
Frank J. Woody

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Slade Gorton

Luvern V. Rieke, Exec. Sec.  
Gerald Shucklin  
Joseph A. Sinclitico, Jr.

Dale M. Green  
Ronald L. Hendry  
Lewis H. Orland

Hardyn B. Soule  
Charles F. Stafford  
Herbert A. Swanson

Don Perry

Lyle H. Truax

Daniel Reaugh

Gary N. Utigard

Richard S. L. Poddis

Willard J. Roe

NUCLEAR ENERGY, JOINT COMMITTEE ON  
(RCW 44.39.010)

Representatives

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Max E. Benitz  
Charles D. Kilbury

Senators

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Dan Jolly  
Jim Matson  
Ray Van Hollebeke

Stewart Bledsoe, Executive Committee

Larry Bradley, Executive Director

OCEANOGRAPHIC COMMISSION OF WASHINGTON  
(RCW 43.94.020)

Representatives

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Donald G. Hansey  
Rick Smith

Senators

John S. Murray, Vice Chmn.  
A. L. Rasmussen  
Don L. Talley

Other Appointees

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George Johansen, Secretary

Garrett Horder

B. G. Ledbetter, Exec. Sec.

Jon Lindberg

Frank W. Foley

PUBLIC EMPLOYEES COLLECTIVE BARGAINING, INTERIM COMMITTEE  
(RCW 41.56.405)

(No appointments, not funded)

PUBLIC PENSION COMMISSION, STATE  
(RCW 41.52.010)

Representatives

James P. Kuehnle, Chairman  
Del Bausch  
Doris J. Johnson  
Frances North  
Dick Smythe

Senators

John D. Jones, Vice Chmn.  
George Fleming  
R. H. (Bob) Lewis  
Joe Stortini

Other Appointees

Jack Cameron, Research Director

Anson Blaker

Eldon Marshall

Burle Bramhall

Richard Wyman

Percy Lockitch

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STATUTE LAW COMMITTEE

(RCW 1.08.001)

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Rick Smith

Thomas A. Swayze, Jr.

Senators

George W. Clarke

Pete Francis

Other Appointees

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Justice R. F. Brachtenbach

William H. Ellis, Jr.

Bernard J. Gallagher

Raymond W. Haman, V. Chmn.

Charles P. Moriarty, Jr.

Charles R. Olson

TRANSPORTATION COMMITTEE, LEGISLATIVE

(RCW 44.40.010)

Representatives

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Duane Berentson, Secretary

Otto Amen

C. W. "Red" Beck

Donn Charnley

Paul H. Conner

P. J. "Jim" Gallagher

James E. Gilleland

Hugh Kalich

Paul Kraabel

Geraldine McCormick

William "Bill" Schumaker

Senators

Gordon Walgren, Vice Chmn.

Martin J. Durkan

Sam C. Guess

Al Henry

Dan Jolly

Reuben A. Knoblauch

Jim Matson

Lowell Peterson

George L. Sellar

F. "Pat" Wanamaker

Nat W. Washington

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HOUSE BILLS PASSED BY BOTH HOUSE AND SENATE  
SHOWING THE ACTION BY THE GOVERNOR THEREON

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Forty-Third Legislature-1973  
First Extraordinary Session  
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	51	Horse racing, additional races..	39	7/16/73
S-	52	Leasehold, limited, in lieu tax.	187	7/16/73
*S-	53	Open space, tax prov. revised...	212	7/16/73
S-	64	Motor vehicle fuel, special tax..	156	7/16/73
	69	Land reclamation tax levy repeal	40	7/16/73
	76	Health insur., renewals, canc...	188	7/16/73
	84	State treas. trust fund estab...	15	4/10/73
	105	WSU employees, retire. system...	168	4/24/73
	112	Milk, assessment levy change....	41	7/16/73
	119	Assessor's comparable sales data	30	7/16/73
	123	Police pension board.....	16	7/16/73
	124	Real est. lic. applicants.....	42	7/16/73
	127	County taxes, distribution.....	43	7/16/73
	137	Safety glass.....	2	7/16/73
	160	Police, personal prop. ret.....	44	7/16/73
	161	Property tax, fed. retire.....	98	1/ 1/74
	164	Tax records, auditor, treas.....	45	7/16/73
S-	174	Leg. budget comm, DSHS, funct...	197	7/16/73
	186	Tax levy rates, \$1000 val.....	195	4/26/73
	197	Highway constr., bond sales....	169	4/24/73
	204	Medical pract., financial int...	26	7/16/73
S-	208	Minors, contraceptives.....	196	7/16/73
	225	Spray, fertilizer applicators...	17	7/16/73
	234	Higher education procedures.....	46	6/30/74
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	252	State empl., insurance.....	99	4/23/73
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	287	Schools, employees, substitutes.	3	3/23/73
	291	Assessors, private appraising...	11	7/16/73
	300	Mutual savings banks, housing...	31	7/16/73
	304	School districts, insur. cont...	9	7/16/73
*	305	Support obligations.....	183	4/25/73
S-	306	Environmental coordination.....	185	1/ 1/74
	324	Budget, submission, accounting..	100	7/16/73
*S-	340	Tuberculosis hospitalization....	213	7/16/73
	346	Juvenile detention.....	101	7/16/73
S-	351	Pharmacy board membership.....	18	7/16/73
	361	Public assis. recip., med. care.	48	7/16/73
	362	Pub. assis. recip. rights.....	102	7/16/73
	363	Pub. assis. recip. income report	49	7/16/73
	364	Canadian doctors, DSHS empl....	4	7/16/73
	369	Volunteer firemen, pens. benefit	170	4/24/73
	376	Investment adv. com., pub. funds	103	4/23/73
	389	Land exchange, commercial recr..	50	7/16/73
S-	391	State conserv. commission.....	184	7/16/73
S-	392	Divorce, provisions revised.....	157	7/16/73
S-	410	Senior citizen, home health.....	51	7/16/73



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	418	Banks, trust company invest.....	104	7/16/73
S-	419	Teachers' retire. system.....	189	4/25/73
	420	Unempl., comp. admin. changes...	158	7/ 1/73
	422	Safety division, name change...	52	7/ 1/73
	423	Alien banks.....	53	7/16/73
	428	Benton-Franklin mental health...	34	4/14/73
S-	429	State base maps, coord. system..	159	7/16/73
S-	435	Public empl. retire. system....	190	4/25/73
	438	FDIC, bank receivership.....	54	7/16/73
	442	Police, firemen, child. tuition.	191	7/ 1/73
	444	Cities, auto fuel tax, streets..	160	7/16/73
*S-	445	Physically handicapped, discrim.	214	7/16/73
	460	Firemen's pension board.....	19	7/16/73
	463	Port districts, ind. develop....	55	7/16/73
	476	Certific. school empl. defined..	105	7/16/73
	481	Water dist. property, disp.....	56	7/16/73
	482	Agricul. empl. ind. ins. pay....	32	7/16/73
	483	Elec. contractors, registration.	161	7/16/73
	485	Insurance rates, general rev....	162	7/16/73
	492	Real est. brokers, inst. hours..	57	7/16/73
*S-	498	Suppl. budget, miscel. items....	215	4/26/73
	502	Nuclear power, joint operation..	7	3/26/73
	534	Insurance, contract term changes	163	7/16/73
*	552	Health care services, laws.....	Vetoed	
	564	Annex. elections, petitioning...	164	7/16/73
	576	Blind, free fishing licenses....	58	7/16/73
S-	589	Collection agencies, regul.....	20	7/16/73
*	590	Horse racing comm, quarterhorse.	216	7/16/73
	595	General fund, cert. acct. abol.	59	7/ 1/73
	601	Voter regis., proced. revised...	21	7/16/73
	604	Mobile homes, real est. salesmen	60	7/16/73
	617	Absentee ballot applic, list....	61	7/16/73
	621	Public works, environ. prot.....	62	7/16/73
	628	Fish farm catches, fee exempt...	63	7/16/73
	638	Debenture companies, regulation.	171	1/ 1/75
	648	Indus. insur. claims, time limit	192	7/16/73
	668	Factory built commercial struc..	22	7/16/73
S-	674	Hearing aid dispensers, lic.....	106	7/16/73
	685	Fire protection, adjacent lands.	64	7/ 1/74
	698	Elections frauds, errors, prev..	165	7/16/73
*	704	Capitol office fac., approp.....	217	4/25/73
	705	Health care contr., 10-day rej..	65	7/16/73
*S-	711	Gambling, comprehensive prov....	218	7/16/73
*	720	Data processing, centralized....	219	4/25/73
	721	Insurance, hearings, appeals....	107	7/16/73
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	731	Nursing homes, mental incomp....	108	7/16/73
	736	Tax dist., excess levies, base..	67	7/16/73
	741	CPA, continuing education.....	23	7/16/73
	746	Forest fire prevention.....	24	7/16/73
	753	High school stud., pub. assis...	35	7/16/73
	766	Legend drugs regulation.....	186	7/16/73
	769	DSHS, Spokane land, sale.....	109	7/16/73
	782	Chain distrib. schemes, regul...	33	7/16/73
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	827	Counties, compr. plans, portions	172	4/24/73
	847	Legal aid programs, all counties	69	7/16/73
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*	901	Salmon, commercial fishing.....	220	7/16/73

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928	Implementing state liquor laws..	Vetoed	
933	Canadian physician, Pt. Roberts.	110	7/16/73
S- 944	Nursing homes, out-patient.....	71	7/16/73
957	Land planning comm., date ext...	72	4/20/73
S- 993	Flammable fabrics act.....	211	7/16/73
*S-1005	Inheritance tax, pension, retir.	221	7/16/73
1007	Grasshopper control approp.....	166	7/16/73
1008	Session laws, publication.....	73	4/20/73
1019	Tax records, use, tax liab.....	74	7/16/73
S-1034	Voter regis. lists, distrib.....	111	7/16/73
S-1055	Packaged food, shelf life.....	112	7/16/73
S-1060	Property tax levies, 1% limit...	194	4/25/73
1061	Unempl. comp., pregnancy excl...	167	7/16/73
1099	Public employ., union removal...	75	6/ 7/73
1105	Water rights claims, short form.	113	4/23/73
1108	Personalized lic. plates.....	200	Ref. 33

\* Partial Veto

HOUSE BILLS PASSED BY BOTH HOUSE AND SENATE  
SHOWING THE ACTION BY THE GOVERNOR THEREON

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Forty-Third Legislature - 1973  
Second Extraordinary Session  
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178	Health care activities, labor...	3	12/15/73
189	School funds guarantee.....	4	9/22/73
		&	1/ 1/74
190	State levy mass refunds.....	5	9/22/73
S- 221	Food stamp purchases resale.....	6	12/15/73
S- 323	Controlled substance sales.....	2	12/15/73
356	Memorial Day, Veterans' Day.....	1	12/15/73
458	Part-time workers, unemploy.....	7	12/15/73
* 487	Lottery, valuable consid.....	41	9/27/73
706	Assessment lists, personal prop.	8	12/15/73
785	Minimum wage increased.....	9	12/15/73
1075	Federal support security income.	10	9/22/73
1121	Teachers' retire. system rev....	32	9/27/73
1126	Outdoor fires, instruct. permits	11	9/22/73
* 1128	Enacting the Educ. Equaliz. Act.	33	7/ 1/74

\* Partial veto

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HOUSE MEMORIALS AND RESOLUTIONS PASSED BY  
BOTH THE HOUSE AND SENATE

Forty-Third Legislature - 1973  
First Extraordinary Session

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HOUSE JOINT MEMORIALS

No.            Subject:

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1	9th Infantry-Northwest's Own
6	Soc. security recip., earnings limitation
9	Dr. Pat Smith, request to Congress
10	Request to Congress regarding health care, elderly
14	Funding, Nisqually Delta
21	Requesting regulations of health, welfare

HOUSE JOINT RESOLUTIONS

10	Equal rights amendment, ratification
40	Passage of bond propositions, requirements

HOUSE CONCURRENT RESOLUTIONS

32	Notification to Governor, Legislature in session
42	Viet Nam bonus checks
46	Joint Session, astronauts, Apollo 17

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Forty-Third Legislature - 1973  
First Extraordinary Session

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2025	Institutions, deceased resident.	76	7/16/73
S-2037	Farm vehicles, oversize, use....	1	7/16/73
2040	Gift tax exclusion, age limit....	146	7/16/73
2045	Comparative negligence.....	138	7/16/73
* 2054	Driver licenses, reinstat.fee..	36	7/16/73
S-2066	State employees insurance.....	147	7/16/73
2069	Defense counsel payments.....	10	3/28/73
2071	Justice of peace, add'l.....	14	7/16/73
2075	Grade crossing protection fund..	77	7/16/73
* 2084	Judge pro tem, retirement credit	Vetoed	
2088	Cosmetologists, men and women..	148	7/16/73
2096	School year, less than 180 days.	78	4/20/73
2098	County investments, U.S. Gov't..	140	7/16/73
2101	Plumbers, regulation, licensing.	175	7/16/73
S-2105	Capital budget.....	114	4/23/73
2111	Credit unions, general revis....	8	7/16/73
S-2113	Hospital costs, rates, study....	5	7/16/73
2119	Higher ed. faculties, retire....	149	7/ 1/74
2139	Camping clubs, consumer prot....	79	7/16/73
2146	State patrol, special deputies..	80	7/16/73
* 2153	Comm. Col. profes. negotiations.	205	4/26/73
2176	Port commissioners, insurance... 6	7/16/73	
* 2183	Electr., journeymen, licenses....	206	7/16/73
2190	Init., ref., noncharter cities..	81	7/16/73
2220	Billing proced., Gen. Admin.....	82	7/16/73
*S-2226	Residential landlord-tenant....	207	7/16/73
S-2227	Judges, superior courts, inc....	27	7/16/73
S-2247	State tax structure revised....	141	1/ 1/74
S-2250	Truck, tractors, gross weights..	150	7/16/73
* 2256	Juvenile probation services.....	198	7/ 1/73
2268	Land sales disclosure act.....	12	7/16/73
2270	Habitual traffic offenders.....	83	7/16/73
2278	Driver experience abstracts....	37	7/16/73
2288	Notary public, records, deposit.	84	7/16/73
2289	Principals, employee organ.....	115	7/16/73
2293	Bonds, refunding, U.S. sec.....	25	4/10/73
2294	Sec. of State, publications.....	85	4/20/73
2309	Expo '74, bonds.....	116	4/23/73
2311	Transp. agencies, recom. budget.	201	7/16/73
2312	Public printing, legal notices..	28	7/16/73
2317	Clean air act, penalties.....	176	7/16/73
2319	Criminally insane, care.....	117	7/ 1/73
* 2326	State auditory, fiscal manag....	Vetoed	
*S-2328	Highways budget.....	222	4/26/73
S-2336	Mentally ill, civil proceed....	142	1/ 1/74
2337	Streets, roads, nonhighway.....	174	4/25/73
* 2339	Fisheries advisory council.....	Vetoed	
2352	Pros. attorneys, county.....	86	1/13/75

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2353	Ballot titles, petitions.....	118	7/16/73
2361	Voter's pamphlet, rebuttal.....	143	7/16/73
*S-2365	Emergency medical care.....	208	7/ 1/73
			8 1/ 1/76
2378	Highways property, surplus, sale	177	7/16/73
2382	Judicial retirement benefits....	119	7/16/73
S-2407	Higher education assis. author..	120	4/23/73
2425	Write-in voting.....	121	7/16/73
* 2435	Alcoholism, advisory council....	155	7/16/73
2452	Unfit dwelling units, acquis....	144	7/16/73
2453	Councilmen, certain cities.....	87	7/16/73
2490	Crime victims, workmen's comp... 122	7/ 1/74	
2491	Adult supervision program.....	123	1/ 1/74
* 2502	Equal rights, HJR 61.....	154	7/16/73
2504	Geographic names board, created.	178	7/16/73
2513	County officials, salary inc....	88	1/ 1/74
2515	Trust funds, life insurance.....	89	7/16/73
S-2522	State highways, route descrip... 151	7/16/73	
2524	Insurance, renewals.....	152	7/16/73
2525	Charities, funds solicitation... 13	1/ 1/74	
S-2531	Environmental impact statement.. 179	7/ 1/73	
2544	Construction, contractors, reg.. 153	7/16/73	
2552	Puget Sound reserve acct.....	124	7/16/73
S-2554	Humane societies, county author. 125	7/16/73	
2570	St. Patrol retirement system.... 180	7/16/73	
2571	Indus. develop. corp. loan limit 90	7/16/73	
S-2586	Police, firemen, pension benefit 181	4/25/73	
S-2589	Pawnbrokers, max. fees.....	91	7/16/73
2590	Urban arterial trust acct.....	126	7/16/73
*S-2600	Liquor control, general rev.... 209	7/ 1/73	
2614	Inheritance tax, marital ded.... 127	7/16/73	
2621	Snowmobile registration.....	128	4/23/73
2643	Bank holding companies.....	92	7/16/73
2656	Savings and loan assn., trust... 93	7/16/73	
2672	Fed. revenue sharing fund..... 129	4/23/73	
S-2717	Organized crime intell. unit.... 202	4/26/73	
S-2736	Cable antenna TV, unauthorized.. 94	7/16/73	
S-2739	Colleges, univ., student fees... 130	4/23/73	
S-2740	Higher ed., budget, approp..... 131	4/23/73	
S-2741	Vehicle dealers, regulation.... 132	7/16/73	
*S-2748	Transportation studies author... 210	4/26/73	
2762	DSHS, supervis. employees..... 133	7/16/73	
2790	Forest fire protec. asses..... 182	4/25/73	
*S-2800	DSHS, budget approp.....	139	4/23/73
2803	Supt. of Public Inst. budget.... 134	4/23/73	
2805	Colleges, univ., capital const.. 135	4/23/73	
S-2813	Mass public transport program... 136	4/23/73	
			8 6/30/81
2833	Docks, certain family residence. 203	7/16/73	
2835	Municipal util. prop., dispos... 95	7/16/73	
2840	Public project empl.....	29	7/16/73
2841	Hospital laundry services, tax.. 145	7/ 1/73	
2847	Musicians, 18-yr. olds, liquor.. 96	4/20/73	
*S-2854	Operating budget.....	137	4/23/73
2866	Wine, tax reduced.....	204	7/ 1/73
2890	S.W. Wn. Fair, property.....	97	7/16/73
*S-2897	Small loan companies.....	Vetoed	
* 2918	Comm. herring fishing, limit.... 173	4/25/73	

\* Partial veto

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SENATE BILLS PASSED BY BOTH SENATE AND HOUSE  
SHOWING THE ACTION BY THE GOVERNOR THEREON

Forty-Third Legislature - 1973  
Second Extraordinary Session

Senate Chapter Effective  
Bill No. Relating to: No. Date

Bill No.	Relating to:	No.	Date
*S-2102	Income tax implementation.....	35	1/ 1/74 & 9/26/73
2136	Highway comm, priority prog...	12	12/15/73
2300	Juries selection.....	13	12/15/73
*S-2377	Congressional elections.....	36	12/15/73
S-2387	Public empl. retire. refunds..	14	9/22/73
2410	School buses, certain trucks..	15	12/15/73
S-2463	Indus. welfare, employees.....	16	9/22/73
* 2494	Convention center fac.....	34	12/15/73
2516	Federal funds, dispersal.....	17	12/15/73
*S-2603	Instit. closures, impact.....	37	9/26/73
2642	Parking fac., transp. corr....	18	9/22/73
2657	Shoreline manag., appeals.....	19	9/22/73
2659	State patrol, disabil. ben....	20	12/15/73
2915	School dist, 1st class.....	21	12/15/73
2942	Marihuana, genus defined.....	38	9/26/73
2944	State patrol cars, red light..	22	12/15/73
2945	Marriage regis, location.....	23	9/23/73
2947	Mentally ill procedures.....	24	12/15/73
2952	Dogfish, fish food use study...	25	12/15/73
2954	Puget Is. ferry.....	26	10/ 1/73
S-2956	State agency approp.....	39	9/26/73
S-2959	Property tax exemptions.....	40	9/27/73
2960	Schools, special levy.....	27	1/ 1/74
2965	Toll bridge authority, approp.	28	9/22/73
2967	Energy crisis, emergency pow..	29	9/22/73
2978	Baseline studies, ecology.....	30	12/15/73
2983	Dep. child, defin., 18-21 yrs.	31	9/22/73

\* Partial Veto

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SENATE MEMORIALS AND RESOLUTIONS PASSED BY  
BOTH THE HOUSE AND THE SENATE

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Forty-Third Legislature  
First Extraordinary Session

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SENATE JOINT MEMORIALS

No.            Subject

---

102    Requesting Congress regarding public assis. mail  
126    Urging Calif. regarding silver salmon catch  
127    Seeking Pres. Nixon preside for National Conference  
       of Legislative Leaders

SENATE CONCURRENT RESOLUTIONS

120    Reintroduction of bills to extra session  
125    Joint rules

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GOVERNOR'S MESSAGES ON HOUSE BILLS  
VETOED AND PARTIALLY VETOED

First Extraordinary Session - 1973

April 26, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES,  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am filing herewith to be transmitted to the House of Representatives at the next session of the Legislature, without my approval as to certain items, SUBSTITUTE HOUSE BILL NO. 53, entitled:

"An Act Relating to the taxation of property."

Substitute House Bill No. 53 enacts desirable amendments to the Open Space Law. In section 11 of the bill, a State Advisory Committee is created to assist the Department of Revenue in the determination of the annual rate of interest and in the promulgation of rules and regulations under the act. Half of this six-member committee are to be representatives of the agricultural business community and are appointed by the "Agricultural Commodity Council." However, there exists no such council having legal standing. As a result the agricultural representatives cannot be effectively appointed.

While I have no substantive disagreement with the concept of a State Advisory Committee, I have determined to veto that item in section 11 creating the State Advisory Committee. I have also vetoed related references to that committee in sections 10 and 17. When the Legislature returns in September, it may wish to recreate a State Advisory Committee having substantial representation from agricultural business and to provide a viable means for appointing such members.

With the exception of the items described above, the remainder of the bill is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 25, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to one item HOUSE BILL NO. 305 entitled:

"An Act relating to public assistance."

This act makes various amendments to the law establishing procedures for collection of support for dependent children supported by public assistance grants. This program is responsible for several million dollars in collections annually which are deposited in the state general fund.

Section 27 of this bill, which was not included in the original bill requested by the department of social and



health services, would terminate the whole act, first adopted in 1971, on July 1, 1975. This act provides the whole basis for the very successful program in collection of delinquent support payments. It is neither necessary nor appropriate to terminate it in the foreseeable future.

Accordingly, I have determined to veto that item consisting of section 27. With that exception, House Bill No. 305 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 26, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval  
SUBSTITUTE HOUSE BILL NO. 323 entitled:

"An Act Relating to controlled substances."

This bill would have created mandatory sentences for persons convicted of certain types of crimes involving sale of drugs. I am in full agreement that we need stiff penalties for certain offenders, especially where the offender has earned enormous sums from the sale of drugs. However, certain deficiencies in this act make it unacceptable. However, inasmuch as it would not have gone into effect until the second week of July, and since the legislature will have the opportunity to enact a new law in September, if the legislature does act in September only two months will be lost.

The whole structure of mandatory sentences needs a comprehensive investigation. To require them in all classified cases may well have the effect of not obtaining a conviction in some cases because it would be known that the defendant would have no hope of release prior to five years and there are many cases where that length of punishment, under all the circumstances, is inappropriate.

It should also be noted that this act would lower the penalty from ten years maximum to five years maximum for sale of a controlled substance classified in schedule I of the controlled substances act. Currently, sale of schedule I substances, which are also narcotics, results in a ten year maximum term. The language concerning maximum terms in section two would clearly make ambiguous what the correct law was for such cases. Moreover, subsection five of section two, though attempting a laudable purpose, clearly creates unintended consequences. This subsection would allow an addicted person to place himself in the custody of the department of social and health services and as long as no indictment or information had been filed prior to that time, such person would be immune from prosecution for prior offenses. Unfortunately, there is no language determining the length of time such a person would have to stay with the department. Consequently, if an individual felt he was about to be charged, he could theoretically go to the department, leave the next week and potentially be immune from prosecution. It is important

April 26, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval HOUSE  
BILL NO. 349 entitled:

"An Act Relating to fish."

This bill would allow commercially licensed troll  
vessels to use hand held sport fishing gear during the  
commercial season. In 1969 the legislature banned the use  
of sport gear for commercial salmon trolling, and that act  
was held constitutional by the State Supreme Court.  
Experience over the years has clearly indicated that sport  
and commercial fishing should be kept separate to achieve  
orderly and well-managed fishing. Usage of sport gear for  
commercial fishing opens the door to numerous areas of  
potential abuse which includes facilitating the taking of  
fish in excess of the legal limit.

Accordingly, for the reasons set out above, I have  
determined to veto House Bill No. 349.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 26, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I return herewith, without my approval, HOUSE BILL  
NO. 356 entitled:

"An Act Relating to legal holidays."

This bill provides that state employees will observe  
Memorial Day on the 30th of May, instead of the last Monday  
in May, and Veterans' Day on the 11th day of November  
instead of the fourth Monday in October.

If approved, House Bill No. 356 would create a  
situation where state and federal agencies would be unable  
to conduct business with each other on either the state or  
the federal holiday. The private sector would also be  
disrupted because some firms would close on the federal  
holiday, others would close on the state holiday. The  
disruptive impact on the functions of both government and  
private industry would be tremendous. In addition, many  
families would not be able to observe these two holidays  
together. I have already signed into law House Bill 117,  
Chapter 32 of the 1973 Regular Session, which sets school  
holidays to comply with federal legal holidays. Since  
House Bill 356 would require state employees to work on  
these federal holidays, many state employees would not be  
able to be with their families. Also there are many  
families where both the mother and father work, and it is  
very possible that their employers may not give them the  
same day off.

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that these difficulties and the whole issue of the validity of mandatory sentences be thoroughly reviewed in September.

Accordingly, for the reasons set out above, I have determined to veto Substitute House Bill No. 323.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 25, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to two items SUBSTITUTE HOUSE BILL NO. 340 entitled:

"An Act Relating to tuberculosis hospitalization and control."

This bill generally revises the laws relating to tuberculosis treatment under the jurisdiction of the department of social and health services. In revising the bill as it passed through the legislative process, the effective date carried in section two was inadvertently allowed to remain in the bill. As originally drafted the bill would have become effective January 1, 1974, but that provision was deleted. However, the similar language in section two was not equally deleted. In order to maintain consistency, I have determined to veto this item in section two.

Section five of the bill, which does not relate to the department of social and health services, amends existing law to give the superintendent of the tuberculosis hospital in the Eastern Washington Tuberculosis Hospital District the same powers and duties as a local health officer. Currently, local health officers are responsible for carrying out programs to control tuberculosis and to identify and provide treatment for those persons determined to have tuberculosis. It is clear that such programs can best be carried out by those who are closest to the problem. To provide for overlapping or concurrent jurisdiction in this key area of disease control will add nothing to the continuing efforts to fight tuberculosis.

Accordingly, for the reasons set out above, I have determined to veto that item in section two and that item consisting of section five in Substitute House Bill No. 340. With those exceptions, the remainder of the bill is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

While it is recognized that many of our citizens desire to observe these holidays on the same day as they were observed in the past, such observance is in conflict with the Congressional determination that these holidays be observed on Mondays, thus giving many workers a three-day weekend. I believe it is important that we conform our observance of these holidays with that of the federal government. Without such conformity, there would be confusion and frustration among employees and employers alike.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 26, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am filing herewith to be transmitted to the House of Representatives at the next session of the Legislature, without my approval as to one section and one item, SUBSTITUTE HOUSE BILL NO. 445, entitled:

"An Act Relating to the law against discrimination."

This act provides that discrimination as a result of any sensory, physical or mental handicap, is a matter of state concern and one in which the Board Against Discrimination is empowered to investigate and to act. It is made an unfair labor practice for an employer to discriminate in hiring such an individual as a result of these factors, unless the factor involved would prevent the proper performance of the work to be performed.

In section 6 an employer is allowed to exclude or restrict participation of handicapped persons in certain insurance benefit programs. There is no definition of handicap and consequently this provision could be applied to many persons and not just to those persons to whom the bill was primarily directed. In addition, group policies ordinarily include handicapped persons and merely exclude the pre-existing conditions, and the premiums are little, if at all, higher. For these reasons I have determined to veto this item in section 6.

In section 7 the Commission is authorized to require a person filing a complaint of an alleged unfair labor practice based on a handicap to submit to medical or psychiatric examination before action on the complaint is taken. If needed, the Commission can adopt by rule and regulation procedures for examination of those filing complaints alleging an unfair labor practice based on a handicap. To suggest, as this provision would, that only the handicapped need be submitted to such examinations is unnecessary and inappropriate in this act.

With the exception of this one item in section 6 and section 7, I have approved the remainder of Substitute House Bill No. 445.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 26, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith, without my approval as to one item, SUBSTITUTE HOUSE BILL NO. 498 entitled:

"An Act Adopting the supplemental budget."

This act, with the exception of one section, provides appropriations to reimburse belated claims and provide special relief. However, section three would require that within six weeks prior to the election in November, a copy of Substitute Senate Bill 2247 be mailed to each individual place of residence in the state. Substitute Senate Bill 2247 is the act which would implement a state income tax if the voters approve the required constitutional amendment at the next election. The appropriation provided for the mailing required in section three is \$110,000.

For a number of years now the Secretary of State, pursuant to law, has mailed out a voter's pamphlet discussing the issues to be voted on at general elections. Just recently, I approved a bill passed by the legislature which would substantially expand the scope of the arguments for and against issues on the ballot. The voter's pamphlet is a more appropriate place to discuss the issues submitted to the people, and I am sure that extensive discussion of both the constitutional amendment and the implementing act will be provided in the pamphlet.

It should also be noted that the legislature, in its session in September, intends to undertake a full review of Substitute Senate Bill 2247. Consequently, any amendments made in September would not appear in copies of the bill mailed to the voters. Additionally, should any person desire a copy of the bill for review, it is readily available from the Office of the Secretary of State between now and the November election.

Accordingly, for the reasons set out above, I have determined to veto section three. With that exception, the remainder of Substitute House Bill No. 498 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 26, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval ENGROSSED HOUSE BILL NO. 552 entitled:

"An Act Relating to health care."

This measure would have the effect of requiring that any contract for health insurance which provides indemnity to the contract holder must also make provision for covering services rendered by licensed podiatrists, chiropractors, optometrists and chiropodists.

regarding funds received and creates a new "Horse Racing Commission Revolving Fund." Creation of this fund and the procedures prescribed for its usage would seriously delay payment by the Commission to part-time employees hired for one two-day racing meet. More importantly, the budget act previously approved, makes an appropriation to the "Racing Commission Fund" which would no longer be available to the Commission under terms of section 7. It should also be noted that much of the language in section 7 is also in the budget act.

I am not opposed to the considerations that led to the enactment of sections 6 and 7, but to allow them to stand would effectively deprive the Commission of funding under existing mechanisms.

Accordingly, I have determined to veto those four items found in section 1, and consisting of sections 2, 6 and 7.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 25, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am filing herewith to be transmitted to the House of Representatives at the next session of the Legislature, without my approval as to two items, HOUSE BILL NO. 704, entitled:

"An Act Relating to state government; providing for the acquisition, construction, remodeling, furnishing and equipping of state buildings and facilities; providing for the financing thereof by the issuance of bonds; and declaring an emergency."

This bill authorizes the State Finance Committee to issue general obligation bonds in the amount of \$27 million for the purposes of acquiring land and the planning, construction and remodeling of capitol office buildings, parking facilities, Governor's Mansion, legislative facilities, and executive office space for elective officials and other state agencies. This is desirable legislation which is required in order to allow the development of needed facilities for the executive and legislative branches of government.

As initially filed and pursuant to existing law the bill would have provided for administration of these planning, construction and remodeling funds by the Department of General Administration. However, as amended in the Senate, section 1 of the bill now provides that any planning, acquisition, construction, remodeling or furnishing of space for the Legislature by way of offices, committee rooms, hearing rooms and workrooms would have to be approved by the State Capitol Committee while the other nonlegislative projects would not be similarly controlled. This would mean that even the most minor of remodeling requirements for the Legislature would necessitate the prior approval of the State Capitol Committee. I find such

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While similar provisions currently apply to many public employees, this act would affect private purchasers of health insurance within the state. While the legislature may legitimately provide for the scope of reimbursable services in health care contracts for public employees, which the legislature in whole or part funds, it is not that clear that an overriding public interest necessitates equivalent provision for the private sector.

Nonetheless, I note with interest the statement of recommendations of the Joint Executive Committees of the Washington State Medical Association and Washington Physicians Service, made May 21, 1972, which indicate that the executive committees were of the opinion that provision should be made for covering other health care services under the health care plans offered by Washington Physicians Service and county medical bureau contracts. In the event that these organizations do not in fact follow these recommendations, then legislation such as this may well be appropriate next year.

Accordingly, for the reasons set out above, I have determined to veto Engrossed House Bill No. 552.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 26, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am filing herewith to be transmitted to the House of Representatives at the next session of the Legislature, without my approval as to four items, HOUSE BILL NO. 590, entitled:

"An Act Relating to horse racing."

This act would make several changes in the laws relating to the Horse Racing Commission. Section 1 includes amendatory language which could be construed to mean that if an appointment is made to the Commission during the time the Legislature is not in session, so that appointment could be acted upon by the Senate, then such appointee cannot exercise his duties until the Legislature next convenes and the Senate confirms the appointment. Such a limitation would without question deter and inhibit the Commission's performance of its statutory duties. Consequently I have vetoed that item in section 1 creating that limitation.

Section 2 of this act would prohibit members of the Horse Racing Commission, among other things, from accepting breeder's awards from breeding associations. Such a restriction is unfounded and has no purpose or merit. The Commission has advised me that they will immediately adopt, by rule and regulation, the substance of this section with the exception of the prohibition on breeder's awards. I have therefore determined to veto that item consisting of section 2.

Sections 6 and 7 of this act would delete existing language regarding the Commission's responsibilities

a requirement unreasonable and probably not really intended by the drafters of this amendment.

Under existing law the Department of General Administration has express responsibility to supervise the construction, repair and betterment of all capitol buildings. On the other hand, the State Capitol Committee is a policy-making body for capitol campus development which has not heretofore functioned as an administrative mechanism for the actual construction and remodeling of capitol facilities.

Accordingly, I have vetoed those items in section 1 and section 4 of House Bill No. 704 which would unnecessarily involve the State Capitol Committee in the administration of the capital funding authorized by this bill.

With these exceptions, the remainder of House Bill No. 704 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 26, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith, without my approval as to certain items, SUBSTITUTE HOUSE BILL NO. 711 entitled:

"An Act Relating to gambling."

This bill, the first enactment pursuant to the authority of the Constitutional amendment approved at the last election, would provide for a gambling commission to approve and license, through the department of motor vehicles, activities permitted under this act. Counties, and cities of the first class, would have the authority to tax such activities and to prohibit them if they so choose. Activities allowed under this act include bingo and raffles conducted by charitable and nonprofit organizations, punch boards and pull-tabs, pin-ball machines which do not provide for a payoff and cardrooms and social card games.

I have determined to veto the items of this bill relating to cardrooms and social card games. It is clear from the last election that the people desire bingo and raffles. However, I believe that we should proceed to establish the gambling commission and allow it to gain experience in this area before moving further in the direction of allowing other activities.

Additionally, in the definition of gambling device there is included in several places the item "used in professional gambling." This could cause substantial enforcement problems in determining whether the devices prohibited are actually being used in professional gambling or not. Sufficient enforcement problems could result from allowing these items to remain such that I have determined they should be vetoed.

The definition of what constitutes a lottery includes certain exemptions from the definition of "valuable consideration." One of the exemptions is



visitation to a place of business to obtain a coupon, entry blank or proof of purchase. The item referring to proof of purchase could insert into the exemption the additional condition of purchasing an item or several items with no limit on the amount. Clearly, this goes beyond the concept of defining a visit to a place of business as not being valuable consideration. Accordingly, I have determined to veto that item.

With the exceptions noted above, I have approved the remainder of Substitute House Bill No. 711.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 25, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am filing herewith to be transmitted to the House of Representatives at the next session of the Legislature, without my approval as to one item, HOUSE BILL NO. 720, entitled:

"An Act Relating to state government."

House Bill No. 720 provides for the creation of the Washington State Data Processing Authority. It is the purpose of this act to provide for the coordinated utilization of data processing equipment within state government. I am prepared to support this measure as part of the continuing efforts of the Legislature and the Executive to address the issues of effective and efficient use of data processing equipment.

Section 5 of House Bill 720 creates an eleven-member Data Processing Authority appointed by the Governor and to serve at his pleasure. However, that section then proceeds to describe who some of the members of the authority shall be. Not only is this language ambiguous, but the four state elected officials designated as members of the Data Processing Authority do not effectively represent these state agencies having the major data processing workloads. Accordingly, I have vetoed that item in section 5 which specifically designates the members to be appointed to the authority.

In recognition of the concerns and interests of elected officials, I intend to appoint the Lieutenant Governor to the Data Processing Authority. In addition, I intend to appoint the Code Reviser to represent legislative data processing activities and a representative for higher education. The remaining positions on the authority will be assigned to five representatives of state government and three representatives from the private sector.

With the exception of this item, the remainder of the bill is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

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procedures under which it operates. The consequences of this bill, through various amendments to the liquor control statutes, are systematically to minimize or eliminate the discretionary authority of the Liquor Control Board and to restrict its jurisdiction to matters narrowly and explicitly related to management of liquor traffic.

While there may well be need for modernization of the liquor control statute, originally enacted in 1933 as the Steele Act, I am concerned that the amendments incorporated in House Bill No. 928 may go too far in tying the hands of the Liquor Control Board. By excessively restricting the authority of the Board this legislation could lead to poor practices and abuses in Class H license establishments.

If changes in the liquor statutes of the consequence of those included in House Bill No. 928 are to be made, this should occur only after wide public discussion and a substantial number of open hearings in view of the impact of such changes upon the public interest.

For the foregoing reasons, I have vetoed House Bill No. 928.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 25, 1973

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I return herewith, without my approval as to one item, SUBSTITUTE HOUSE BILL NO. 1005 entitled:

"An Act Relating to inheritance taxes."

This act would exempt from inheritance taxes certain pension benefits available, among others, to those employed in higher education. Senate Bill No. 2119 also makes provision for such exemptions but, in so doing, uses different language to amend the same section of law. In order to avoid the necessity of further amendment in the future to reconcile the conflicting language, an item in section one of Substitute House Bill No. 1005 must be deleted. Deleting this item will have no substantive effect in light of the provisions in Senate Bill 2119, which I have approved.

Accordingly, for the reasons set out above, I have determined to veto the one item in section one of Substitute House Bill No. 1005.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 26, 1973

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am filing herewith to be transmitted to the House of Representatives at the next session of the Legislature, without my approval as to one item, HOUSE BILL NO. 901, entitled:

"An Act Relating to food fish and shellfish."

Section 2 of House Bill No. 901 contains multiple amendments to RCW 75.12.010 which pertains to commercial fishing activities. Under present law the Director of the Department of Fisheries has the discretionary authority to authorize commercial fishing in lower Puget Sound when he determines that a run of salmon cannot be feasibly and properly harvested in the usual manner and that such run of salmon may be in danger of being wasted. House Bill No. 901 would apparently mandate the Director whenever a surplus occurs to allow units of lawful gill net gear in the fishing areas south of the Initiative 77 line until the second Monday in September and thereafter both gill net and purse seine gear would be allowed at the Director's discretion.

The consequences of this amendment are unclear since the change in wording can be interpreted to mean that the Director is under a mandate to permit commercial fishing when there is a surplus run of salmon in all legal waters of Puget Sound south of the Initiative 77 line. Or, it can be interpreted to mean that the Director continues to have the discretion to authorize commercial fishing when a surplus run occurs but only in terminal areas, such as Carr Inlet.

Because of the ambiguity in the intent of this amendment and the certain controversy which it would create when the Director sought to meet the requirements of this section, I have determined to veto that item in lines 6 through 17 of page 3 of House Bill No. 901. As a result, the Director's present discretionary authority to act in this area will be maintained.

With the exception of that one item, the remainder of House Bill No. 901 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

April 26, 1973

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am filing herewith to be transmitted to the House of Representatives at the next session of the Legislature, without my approval, HOUSE BILL NO. 928, entitled:

"An Act Relating to liquor."

This bill would make significant substantive changes in the authority of the Liquor Control Board and the

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GOVERNOR'S MESSAGES ON HOUSE BILLS  
VETOED AND PARTIALLY VETOED

Second Extraordinary Session - 1973

September 27, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to a number of items SECOND SUBSTITUTE HOUSE BILL NO. 487 entitled:

"An Act Relating to lotteries."

This bill contains a number of amendments to Substitute House Bill No. 711 passed by the Legislature during the First Extraordinary Session in 1973 and which consists of the first enactment in the area of gambling pursuant to the authority of the constitutional amendment approved by the voters in November, 1972.

It is unfortunate that the Legislature decided to deal with the subject of gambling during the short eight-day period of the September session. It is evident throughout this bill that the Legislature has not devoted enough time to study the many undesirable consequences arising out of gambling legislation that is not carefully drafted. While there is certainly considerable justification for truly social card games, what has been authorized in this bill is a wide-open and blatant form of professional gambling. Most important of all in Section 2(8) of the bill so-called "social card games" are declared not to be gambling for the purposes of the bill and are therefore activities totally beyond the control or influence of the State Gambling Commission. Thereafter in Section 2(18) a "social card game" is defined in such a fashion as to permit a professional gambler to set up operations in any club or any nonprofit organization in the State of Washington and to operate his game with a full "house" percentage to himself as long as he does not share that intake with the club or organization whose premises he uses. There is no limitation on the number or size of such operations or the type of person who would be allowed to conduct such operations in the bill. Our state would thereby be opened to all forms of card games associated with professional gambling, without any of the necessary controls by the state.

In approving SJR 5 in 1972, the people of this state gave clear indication that they favor gambling activities such as bingo, raffles and truly social card games. The Legislature was thereby mandated to enact a responsible bill by which the wishes of the people could be fulfilled. Again the Legislature has failed in that task by enacting so-called "social card games" provisions which go far beyond the responsible legislation that is required. I would urge the Legislature, if it truly wishes to fulfill the mandate given by the people, to commence at an early date, and in advance of the next legislative session, to draft and prepare the type of language that would allow our citizens to engage in truly social card games. I would not

hesitate to approve such a bill, and I am certain that the law enforcement officials in this state would willingly accept such a bill. I will not hesitate, however, and I have not hesitated in the past, to veto bills that are hastily drafted and lacking due consideration of all possible consequences.

I have no objection to other forms of gambling such as Mah Jongg, but regrettably the provisions relating to Mah Jongg in this bill were so closely tied to the social card game provisions that they also suffer the adverse results of poor draftsmanship. I would again urge the Legislature to begin preparing language in consultation with law enforcement authorities and the State Gambling Commission to the end that Mah Jongg and other games may become permitted forms of gambling duly regulated by our Gambling Commission.

The bill contains two provisions, Section 4(4) and (5), and Section 8, which are desirable and necessary and which were in fact requested and drafted by the Gambling Commission. With the exception of those two provisions, I have determined to veto the rest of the bill in its entirety. The time has come for those individuals who have a sense of direction and responsibility to cooperate in producing responsible legislation aimed at answering the desires of our citizens, and further to see such legislation through the next session and prevent it from being burdened by either poorly drafted or irresponsible amendments.

Respectfully submitted,  
DANIEL J. EVANS,  
Governor.

September 25, 1973

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain items HOUSE BILL NO. 1128 entitled:

"An Act Relating to education."

This bill would implement a new state financial aid equalization formula for school districts in the event that HJR 37 is approved by the voters in November, 1973. Section 4 provides a formula upon which a district's entitlement to maintenance and operating funding would be determined by: (1) Certificated and classified personnel allocation; (2) salary costs based on a statewide pay differential table; and (3) nonemployee related costs such as books, supplies, equipment and utilities.

Section 5 of the bill contains the guarantee to the school districts that they will suffer no reduction in their dollar support level per enrolled pupil as a result of the passage of HJR 37. As enacted, however, the second proviso in Section 5 is in direct conflict with such guarantee and with the equalization formula set forth in Section 4. The proviso not only provides for the reduction of the amount of state aid to those districts which exceed the state average for comparable districts, but also

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GOVERNOR'S MESSAGES ON HOUSE BILL APPROVED  
AFTER SINE DIE

First Extraordinary Session-1973

April 20, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on April 20, 1973, Governor Evans approved the following House Bills entitled:  
HOUSE BILL NO. 36: Permitting disbursement of county funds under the control of the county auditor and treasurer.

HOUSE BILL NO. 51: Allowing two additional races at horse racing meets.

HOUSE BILL NO. 69: Repealing authorization for land reclamation tax levy.

HOUSE BILL NO. 112: Providing for certain changes in the assessment levied upon milk.

HOUSE BILL NO. 124: Requiring applicant for real estate license to give certain information.

HOUSE BILL NO. 127: Implementing law relating to distribution of taxes collected for taxing district purposes.

HOUSE BILL NO. 160: Changing the time periods for permitting the disposal of personal property in the possession of certain authorities.

HOUSE BILL NO. 164: Deleting county auditors' duty to compare tax records with county treasurer.

HOUSE BILL NO. 234: Implementing law relating to higher education.

SUBSTITUTE HOUSE BILL NO. 264: Implementing laws relating to mechanics' and materialmen's liens and construction loan mortgages.

HOUSE BILL NO. 361: Amending the law regarding contracts to furnish medical care to recipients of public assistance.

HOUSE BILL NO. 363: Changing from thirty to fifteen days the period within which recipients of welfare must report other income not previously reported.

HOUSE BILL NO. 389: Providing for the exchange of lands having commercial recreational leasing potential.

SUBSTITUTE HOUSE BILL NO. 410: Authorizing certain services for certain persons receiving public assistance.

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.

HOUSE BILL NO. 423: Providing for alien banks in Washington.

HOUSE BILL NO. 438: Permitting the federal deposit insurance corporation to act as receiver and liquidator of insolvent banking institutions.

HOUSE BILL NO. 463: Authorizing port district studies on industrial development.

HOUSE BILL NO. 481: Providing for the disposition of water district property to a public utility district.

HOUSE BILL NO. 492: Redefining "clock hours of

dictates a nonformula approach to school district funding which totally ignores the cost characteristics of individual school districts and the concept of program equalization which are reflected in Section 4 and the balance of the act. In addition the proviso flies in the face of the declared intent of the act as stated in Section 2(2) which assures the citizens and school districts of this state that the per pupil support level will not be reduced upon the passage of HJR 37. In order to restore internal consistency within Section 5 and to preserve the original intent of the act, I have determined to veto the second proviso in Section 5, page 6, of the act, commencing at line 18 and ending on line 22.

Section 22 of the act purports to allow the 1974 Legislature in the event HJR 37 is approved to amend the formula in the act in order to legislate statewide teacher salary schedules. The language of this section is so worded that it has no legal effect whatsoever and adds nothing to the act. If the Legislature wishes to take up the subject of statewide teacher salary schedules in 1974, it has the absolute prerogative to do so and nothing in this act will or can dictate what action will be taken in 1974. Accordingly, I have determined to veto Section 22.

With the exception of the items described above, the remainder of the bill is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

JOURNAL OF THE HOUSE

instruction" for real estate brokers and salesmen licensing provisions.

HOUSE BILL NO. 576: Authorizing free fishing licenses for certain blind persons.

HOUSE BILL NO. 595: Abolishing certain accounts within the general fund.

HOUSE BILL NO. 604: Providing that licensed real estate salesmen may sell mobile home when sold with land on which it rests.

HOUSE BILL NO. 617: Providing for a public list of absentee ballot applications.

HOUSE BILL NO. 621: Providing for environmental protection in public construction contracts.

HOUSE BILL NO. 628: Exempting from catch taxes food fish and shellfish taken from fish farms.

HOUSE BILL NO. 685: Providing that fire districts may contract with the state authority owing adjacent lands for fire protection.

HOUSE BILL NO. 705: Permitting a health care service subscriber ten days to reject a health care services contract.

SUBSTITUTE HOUSE BILL NO. 722: Implementing laws relating to solicitation of funds for charity.

HOUSE BILL NO. 736: Establishing base year formula for certain tax districts' excess levies.

HOUSE BILL NO. 821: Providing for prearrangement contracts for the purchase of cemetery merchandise or services.

HOUSE BILL NO. 847: Repealing certain limitations on county legal aid programs.

SUBSTITUTE HOUSE BILL NO. 903: Amending procedures for vote tallying.

SUBSTITUTE HOUSE BILL NO. 944: Permitting nursing homes to offer out-patient services.

HOUSE BILL NO. 957: Extending the state land planning commission until June 30th, 1973.

HOUSE BILL NO. 1008: Making an appropriation for publication of the session laws.

HOUSE BILL NO. 1019: Authorizing the use of certain tax information and records to determine sales and use tax liability.

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.

Sincerely,  
John H. Bright  
Legislative Counsel.

April 23, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on April 23, 1973, Governor Evans approved the following House Bills entitled:

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.



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HOUSE BILL NO. 252: Providing for a deferred compensation program for state employees.

HOUSE BILL NO. 324: Regulating recommendations for changes in state budget accounting methods.

HOUSE BILL NO. 346: Implementing law of detention of juveniles.

HOUSE BILL NO. 362: Subrogating the department of social and health services to certain rights of persons who receive public assistance.

HOUSE BILL NO. 376: Creating an investment advisory committee and providing for the investment of certain public funds.

HOUSE BILL NO. 418: Providing additional regulations for bank and trust company investments.

HOUSE BILL NO. 476: Defining certificated employee for the purposes of Title 28A RCW.

SUBSTITUTE HOUSE BILL NO. 674: Providing for the licensing of persons who fit hearing aids.

HOUSE BILL NO. 721: Changing certain of the laws relating to insurance.

HOUSE BILL NO. 731: Expanding nursing home treatment authority.

HOUSE BILL NO. 769: Enabling secretary of department of social and health services to sell certain lands.

HOUSE BILL NO. 933: Permitting Canadian doctors to practice medicine in certain specified Washington areas during an emergency situation.

SUBSTITUTE HOUSE BILL NO. 1034: Providing for obtaining of voter lists.

SUBSTITUTE HOUSE BILL NO. 1055: Providing for the regulation of perishable packaged food goods.

HOUSE BILL NO. 1105: Permitting the use of short form for filing water rights claims.

Sincerely,  
John H. Bright  
Legislative Counsel.

April 25, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on April 24, 1973, Governor Evans approved the following House Bills entitled:

SUBSTITUTE HOUSE BILL NO. 64: Implementing the laws relating to the special fuel tax.

HOUSE BILL NO. 105: Authorizing certain classified employees at Washington State University to transfer to the public employees' retirement system.

HOUSE BILL NO. 197: Providing for the sale of state general obligation bonds to finance certain highway construction.

HOUSE BILL NO. 369: Changing pension benefits of volunteer firemen.

SUBSTITUTE HOUSE BILL NO. 392: Revising the laws of divorce.

HOUSE BILL NO. 420: Making certain administrative changes in unemployment compensation.

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SUBSTITUTE HOUSE BILL NO. 429: Creating the Uniform State Mapping Fund.

HOUSE BILL NO. 444: Authorizing cities and towns to expend a portion of the motor vehicle fuel tax for city street purposes.

HOUSE BILL NO. 483: Revising the application of the contractor's registration law.

HOUSE BILL NO. 485: Implementing the law of insurance rates.

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.

HOUSE BILL NO. 564: Providing alternate methods for petitioning a legislative body to call an annexation election.

HOUSE BILL NO. 638: Providing for the regulation of debenture companies.

HOUSE BILL NO. 698: Implementing the law relating to prevention and correction of certain election frauds and errors.

HOUSE BILL NO. 827: Providing that county comprehensive plans may cover a portion of such county.

HOUSE BILL NO. 1007: Appropriating funds for grasshopper control.

HOUSE BILL NO. 1061: Amending the unemployment compensation law relating to certain pension benefits and pregnancy exclusions.

Sincerely,  
John H. Bright  
Legislative Counsel.

April 26, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on April 25, 1973, Governor Evans approved the following House Bills entitled:

SUBSTITUTE HOUSE BILL NO. 52: Providing for a limited leasehold in lieu tax.

HOUSE BILL NO. 76: Providing for guaranteed renewability of health insurance contracts and cancellation only for nonpayment of premium.

HOUSE BILL NO. 186: Relating to revenue and taxation.

SUBSTITUTE HOUSE BILL NO. 306: Providing for environmental coordination procedures.

SUBSTITUTE HOUSE BILL NO. 391: Creating a state conservation commission and defining its functions.

SUBSTITUTE HOUSE BILL NO. 419: Implementing law relating to state teacher's retirement.

SUBSTITUTE HOUSE BILL NO. 435: Revising the laws relating to the state employees' retirement system.

HOUSE BILL NO. 442: Granting free tuition to the children of law enforcement officers or firefighters killed in the line of duty.

HOUSE BILL NO. 648: Implementing the law of industrial insurance.

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HOUSE BILL NO. 766: Providing for the regulation of legend drugs.

SUBSTITUTE HOUSE BILL NO. 862: Making certain changes in the state air pollution control laws.

SUBSTITUTE HOUSE BILL NO. 1060: Limiting aggregate property tax levies to one percent of true and fair value.

Sincerely,  
John H. Bright  
Legislative Counsel.

April 27, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on April 26, 1973, Governor Evans approved the following House Bills entitled:

SUBSTITUTE HOUSE BILL NO. 174: Providing for the transfer of certain functions from the DSHS to the legislative budget committee.

SUBSTITUTE HOUSE BILL NO. 208: Authorizing new procedures for the management of county property.

SUBSTITUTE HOUSE BILL NO. 993: Enacting the flammable fabrics act.

Sincerely,  
John H. Bright  
Legislative Counsel.

JOURNAL OF THE HOUSE

GOVERNOR'S MESSAGES ON HOUSE BILLS  
PASSED AFTER SINE DIE

Second Extraordinary Session-1973

September 24, 1973

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on September 22, 1973, Governor Evans approved the following House Bills entitled:

HOUSE BILL NO. 178: Making certain changes in the laws regulating labor relations in health care activities.

HOUSE BILL NO. 189: Relating to revenue and taxation.

HOUSE BILL NO. 190: Relating to revenue and taxation.

SUBSTITUTE HOUSE BILL NO. 221: Making it a crime to resell food stamps and food purchased therewith or to purchase resold stamps or food.

HOUSE BILL NO. 458: Amending the partial benefit formula for unemployment compensation.

HOUSE BILL NO. 706: Requiring assessors to add to the assessment list the omitted value of personal property.

HOUSE BILL NO. 785: Increasing the minimum wage.

HOUSE BILL NO. 1075: Providing for state participation in the federal supplemental security income program.

HOUSE BILL NO. 1126: Implementing law authorizing outdoor fires.

Sincerely,  
Chi-Dooh Li  
Legal Counsel.

TABLES

House Bills

House Joint Memorials

House Joint Resolutions

House Concurrent Resolutions

House Floor Resolutions

Senate Bills

Senate Joint Memorials and Resolutions

Senate Concurrent Resolutions

SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
6. Representative Kilbury: Providing for stops by buses at railroad crossings.....	24	398	429, 460	460, 1220		2857			
8. Representatives Kilbury and Blair: Adopting the uniform marriage and divorce act.....	24	1395							
10. Representatives Ehlers, Shinpoch, Wojahn and Goltz: Providing that there shall be no disclaimer of implied warranties relating to consumer goods.....	45	1361	1572, 1600						
10. (Substitute) by Committee on Judiciary: Providing that disclaimer of warranties in the sale of consumer goods shall be ineffective.....			1600, 1604- 1607	1607		2857			
12. Representatives Charnley and Rabel: Providing a time limit for the filing of local Referendum petitions.....	45	1409							

13. Representatives Kilbury and Polk: Establishing open Primary elections.....	36	1312	1672						
14. Representative Bluechel: Providing for the practice of acupuncture under the supervision of a licensed physician.....	36	424, 2952	488, 3047	489, 1221	2928	2857			
14. (Substitute) by Committee on Social and Health Services: Implementing the laws relating to acupuncture.....			3047	3048		3229			
32. Representatives Charnley and Matthews: Requiring the county auditor to notify the owner when a lien is filed..	46, 52	514	686	687, 1222		2857			
36. Representative Smythe: Permitting disbursement of county funds under the control of the county auditor and treasurer....	40	212	239	239, 1222	2080		2126	2159	Ch. 38 1st Ex.
39. Representatives Chatalas, O'Brien and Lysen: Creating a state office of housing coordination.....	41	2532							
49. Representatives Berentson, Charette, Pardini and Hoggins: Providing for payment of employee and employer contributions to the retirement system.....	46, 49	772	840	840, 1223		2857			





erty Tax Committee request):									
Providing for taxation of open									
space, agricultural and timber									
lands.....									
	47	1299	1511, 1531		1316- 1318				
53.	(Substitute) by Committee on				2572,				
	Ways and Means - Revenue:				2611,	2562,			
	Making certain amendments to				2697,	2611,			
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	law.....		1531- 1533	1584, 2814	3140	2812	2838	2839	Ch. 212 1st Ex.
63.	Representatives Adams, Kelley								
	and Zimmerman: Amending award				841,				
	in lieu of homestead provisions.		63	710	1223	2857			
64.	Representatives Conner and								
	Gilleland: Taxing motor veh-								
	icle fuel in the state of								
	Washington.....		63	1395	1573				
64.	(Substitute) by Committee on								
	Transportation and Utilities:								
	Implementing the laws relating								
	to the special fuel tax.....				1573	1573	2485	2840	2820
									Ch. 156 1st Ex.
69.	Representatives Kopet, Curtis,								
	Barden and Polk (by Legisla-								
	tive Budget Committee request):								
	Repealing authorization for				491,				
	land reclamation tax levy.....		64	365	519	762	1224	2080	2126
								2159	Ch. 40 1st Ex.
76.	Representatives Bagnariol,								
	Ceccarelli, Gaspard and								
	Pardini: Providing for guar-								
	anteed renewability of health								

SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
insurance contracts and can- cellation only for nonpayment of premium.....	66	742	1284	1285, 2560		2558	2834	2840	Ch. 188 1st Ex.
84. 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.....	67	289	330, 336, 736, 846, 879	373, 1292	373	1764	1803	1830	2270 Ch. 15 1st Ex.
87. Representatives Thompson, Curtis, Chatalas and Matthews (by Legislative Budget Committee request): Eliminating motor vehicle fuel tax refunds pres- ently available for watercraft in this state.....	68	348, 592	783, 786- 788	788, 1225	356	2857			
90. Representatives Kopet, Thompson and Curtis (by Legislative Budget Committee request): Providing for filing of per-				843,					

	sonal service contracts.....	86	625	842	1225		2857			
97.	Representatives Hurley, Zimmerman, Thompson and Hoggins (by Legislative Council re- quest): Providing compensation in inverse condemnation cases for loss of value where there is no trespass to the property..	88	743	1510- 1512, 1523- 1530	1607		2857			
102.	Representatives Bauer, Berentson, Laughlin, Hansey and Erickson: Authorizing alternative procedures for payment of condem- nation awards subject to benefits setoff.....	89	399	492	492, 1226		2857			
105.	Representatives Kopet, Moon, Patterson, King, Maxie and Barden (by Legislative Budget Committee and Joint Committee on Higher Education request): Authorizing certain classi- fied employees at Washington State University to transfer to the public employee's retirement system.....	89	326, 959	368, 1168	1293, 2354	368	2353	2475	2529	Ch. 168 1st Ex.
112.	Representatives Van Dyk, Berentson and Goltz: Pro- viding for certain changes in the assessment levied upon milk.....	91	572	1411	1412		2081	2127	2159	Ch. 41 1st Ex.

SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit-tee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
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.	91	592	783	784, 1227		2857			
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.....	92	259	295	295, 1227, 1898		1898	2046	2081	2661 Ch. 30 1st Ex.
122. Representatives Benitz, May, Hayner, Ceccarelli, Hendricks, McCormick, Paris and Schumaker: Preventing the display of indecent materials.....	107	1718							



SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
erty taxes from a variable rate to a uniform rate.....	110	593	785	785, 1230		2857			
139. Representatives Newhouse, Moon and Williams (by Legis- lative Council request): Tax- ing telegraph company prop- erty as real property and apportioning the revenues amongst the taxing districts on the basis of the situs of equipment.....	111	259	298, 310	338, 1231		2857			
142. Representatives Sommers, Knowles, Kopet and Julin: Raising the corporation annual report filing fees from one to two dollars.....	111	326, 1276	1365	1365		2857			
150. Representatives Haussler, Smythe, Kalich and May: Raising mileage allowance for county officers.....	117	515	649	649, 1231		2858			
152. Representatives Conner and Savage: Establishing new State				432,					



SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
eries, Game and Game Fish re- quest): Enhancing the prop- agation of wildlife.....	123	237	332, 348- 356	373- 374, 1706	1704- 1706	1096	1147	1150	Vetoed
174. Representatives Luders, Knowles, Conner, Bagnariol, Bauer, Kilbury, Haussler and Shinpoeh: Providing for the transfer of certain functions from the DSHS to the legis- lative budget committee.....	145	772	1366						
174. (Substitute) by Committee on State Government: Providing for the transfer of certain functions from the DSHS to the legislative budget committee.....			1366	1366, 2718		2717	2838	2839	Ch. 197 1st Ex.
178. Representatives King and Morrison (by Public Employees' Collective Bargaining Committee request): Making certain changes in the laws regul- ating labor relations in health care activities.....	147	674	1574	1574, 3133		2858, 3170	3182	3193	Ch. 3 2nd Ex.







North (Frances), Kilbury,  
 Valle, Bausch, Knowles,  
 Hurley, May, Savage, Anderson,  
 Goltz, Maxie, Eng, Beck,  
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227. Representatives Warnke,  
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234. Representatives Maxie, King and Rabel (by Joint Committee on Higher Education request): Implementing law relating to higher education.....	167	328, 959	695, 1367	1367	695	2081	2126	2159	Ch. 46 1st Ex.
241. Representatives King, Maxie, Smythe, Lysen, Charnley and Eng: Exempting from fees those community college students not completing high school.....	174	630	1396						
242. Representatives Luders, Knowles, Pardini and Patterson: Declaring it a misdemeanor to duplicate or possess a duplicate of a key to a public building..	174	710	1368	1368		2858			
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306. (Substitute) by Committee on Ecology: Establishing procedures for environmental coordination.....			1651	1651, 2357		2357	2475	2530	Ch. 185 1st Ex.
316. Representatives Luders, Zimmerman, Laughlin, North (Lois), Kraabel and O'Brien: Providing for the registration and regulation of boats.....	209	1409	1725						
316. (Substitute) by Committee on Parks and Recreation: Providing for boat registration and regulation.....			1725- 1729, 1737- 1741	1741		2858			
323. Representatives Fortson, Clemente, Bender, Hansen and North (Frances): Providing mandatory sentencing for certain violations involving controlled substances.....	211	1632	1742						
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Health Services request): Implementing law of detention of juveniles.....	230	573	685	1243	686,	2414	2477	2536	Ch. 101 1st. Ex.
349. Representatives Gallagher, Parker, Jueling, Erickson, Kelley and Gaspard: Regulating commercially licensed troll vessels.....	231	945	1551	2818	1551, 3140	2817	2838	2840	Vetoed
351. (Substitute) by Committee on Social and Health Services: Increasing and reconstituting the membership of the state pharmacy board.....			825	1712	1541,	1711	1747	1831	2270 Ch. 18 1st Ex.
352. Representatives Moon, Flanagan, Williams and Erickson: Pertaining to listing of exempt property.....	232	935	1369	1369		2858			
356. Representatives Conner, Bauer, Zimmerman, Schumaker and Beck: Changing certain legal holidays.....	233	626, 3137	1552, 1568	1569, 2417	1552, 3137-	2417, 3169	2477	2536	Vetoed Ch. 1 2nd Ex. Override

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.....	234	712	1369	1370	2531	2840	2821	Ch. 48 1st Ex.
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..	235	712	1370	1370, 2575	2575	2840	2821	Ch. 102 1st Ex.
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.	235	712	1371	1371, 2615	2615	2834	2840	Ch. 49 1st 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.....	235	428, 522	641- 644	644, 1262, 1326	1153	1152, 1325	1354	1389 Ch. 4 1st Ex.





















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435. (Substitute) Committee on State Government: Revising the laws relating to the state employees' retirement system.....			2105- 2111	2111, 2621	2619	2841	2821	Ch. 190 1st Ex.
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438. Representatives Ceccarelli, Gaspard and Bagnariol (by Department of General Admin- istration request): Permitting the federal deposit insurance corporation to act as receiver and liquidator of insolvent banking institutions.....	285	745	1335	1335	2081	2127	2159	Ch. 54 1st Ex.
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442. Representatives Conner,  
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444. 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.....	286	626	860	860, 1249		2531	2841	2821	Ch. 160 1st Ex.
445. Representatives Adams, Paris, McCormick, Wojahn, Conner, Gallagher, Bagnariol, Smythe, Douthwaite, Swayze, Charette, Goltz, Eng, Ceccarelli, Johnson, Lysen, Jastad, Freeman and Parker: Prohibiting discrimination in employment because of physical handicap.....	286	1718	2025						



445. (Substitute) by Committee on Social and Health Services: Prohibiting discrimination based on the presence of any sensory, mental, or physical handicap.....			2025- 2026	2026, 2704	2704, 3140	2703		2838	2840	PV Ch. 214 1st Ex.
446. Representative Randall: Pertaining to property taxes...	287	2886	2898	2924	2887	3229				
451. Representatives Ceccarelli, McCormick, Valle and Adams: Providing reciprocal osteopathic licensing.....	302	1313								
453. Representatives Johnson, Gallagher, Kuehnle and Leckenby: Providing certain benefits to children of re-tired patrolmen.....	303	738	861, 1376, 1385	1386		2858				
457. Representatives Bagnariol, Johnson and Gilleland: Providing for payment for costs of relocating public sewer and water facilities located within the right of way of certain highways.....	304	1718	2917	2917		3229				
458. Representatives Pardini, Savage, Pullen, Cunningham, Wilson and Hendricks (by Executive request): Amending the partial benefit formula for unemployment compensation..	304	1361	1578	1578, 2865, 3166	2861, 3166	2858, 3164		3182	3193	Ch. 7 2nd Ex.

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460. Representatives Lysen, North (Lois) and Douthwaite: Authorizing mayors to design- ate a representative to fill their position on municipal firemen's pension board.....	304	1105	1303	1303		1764	1803	1830	2270 Ch. 19 1st Ex.
463. Representatives Berentson, Van Dyk, Hansey and Charette: Authorizing port district studies on industrial development.....	305	776	1335, 1345	1572		2081	2127	2159	Ch. 55 1st Ex.
474. Representatives Smith, Bluechel, Sommers, Bausch, King, Ehlers, Zimmerman, Bauer, Blair and Gaspard: Allowing state, city and county employees to engage in certain political activities.	307	677	1756	1757		2858			
476. Representatives Thompson, Rabel and Conner: Defining certificated employee for the purposes of Title 28A RCW..	315	678	828	829, 1249, 2483		2483	2636	2668	Ch. 105 1st Ex.

481.	Representatives Beck, Smith and Randall: Providing for disposition of water district property to a public utility district.....	318	777	1376	1376	2081	2127	2159	Ch. 56 1st Ex.
482.	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.....	318	1164	1377	1377	1898	2046	2081	2661 Ch. 32 1st Ex.
483.	Representatives Bagnariol, Kuehnle, Perry and Julin: Revising the application of the contractor's registration law.....	318	1099	1303	1304	2271	2370	2446	Ch. 161 1st Ex.
485.	Representatives Bagnariol and Pardini: Implementing the laws of insurance rates....	319	799	1579	1579, 2557	2555	2841	2821	Ch. 162 1st Ex.
487.	Representatives Johnson, Kalich and Ellis: Redefining certain elements of a lottery in order to allow consumers to participate in various promotional schemes.....	319	799, 2887	2918	2870				
487.	(2nd Substitute) Committee on Commerce: Authorizing certain promotional activities.....			2918,2982 2983- 2998	2998, 3220	3215- 3220	3212	3226	3228 PV Ch. 41 2nd Ex.

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492. Representatives Kuehnle, Chatalas, Ceccarelli and Garrett: Redefining "clock hours of instruction" for real estate brokers and salesmen licensing provisions..	320	1099	1336	1336		2081	2127	2159	Ch. 57 1st Ex.
494. Representatives Berentson, Van Dyk, Hurley and Hoggins: Enabling appropriations of state funds for common schools activities programs....	320	1204	1288	1422, 1424					
498. Representatives Bagnariol and Shinpoch: Adopting the operating budget.....	321	1769	2245						
498. (Substitute) by Committee on Ways and Means-Appropriations: Adopting a supplemental budget for miscellaneous purposes....			2245	2245, 2665	2663- 2665, 3140	2663	2838	2840	PV Ch. 215 1st Ex.
499. Representatives Bagnariol and Shinpoch: Adopting the operating budget.....	322	3143	3170	3171		3229			

502. Representatives Savage, Benitz and Kilbury: Im- plementing laws relating to nuclear thermal power facilities.....	322	574	830	1294	1389	1426	1428	1565 Ch. 7 1st Ex.
505. Representatives Hoggins, Eng, Clemente, Fortson, Knowles, Leckenby, Bender and Parker: Specifying pro- cedures for maintaining certain records of juveniles...	323	1719	1883					
505. (Substitute) by Committee on Judiciary: Making certain juvenile records confidential.			1883	1884	2858			
509. Representatives King, Bagnariol, Warnke, Kilbury, Smith, Eng, Ceccarelli and Chatalas: Providing tax reform.....	324	1392	1484, 1540	1540				
515. Representatives Martinis, Johnson and Juelling: Pertain- ing to public work contracts in first class cities.....	344	1276	1552- 1553	1553	2858			
519. Representatives Lysen, Sommers and North (Lois): Increasing port commissioners in class AA county district from five to nine.....	345	1327	1536					
519. (Substitute) by Committee on								



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..... 359      800      1337      1338      2531      2841      2821      Ch. 163  
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537. Representative Bagnariol: Defining health care service agreements as contracts of insurance..... 360      1457

541. Representatives Eikenberry, Knowles, Gaspard, Smith, Polk, Swayze, Luders, May, North (Lois), Chatalas, Julin and Pullen: Setting out standards for determining the amount of bonds for injunctions affecting public construction contracts..... 361      1522

546. Representatives Bagnariol, Barden and Berentson: Changing laws of motor vehicle assigned risk insurance..... 362      1905

549. Representatives Kuehnle, Beck, Zimmerman, Pardini, Bagnariol, Randall, Paris, Hendricks, Garrett, Patterson, Barden, Luders, Knowles, Eng, and Matthews: Regulating sale and transfer of devices





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566.	Representatives Ceccarelli, Barden and Chatalas: Requir- ing savings and loan assoc- iations to pay for the cost of state supervision.....	389	778	1378	1378		2858		
569.	Representatives Wojahn, Valle, Blair, Nelson and Paris: Providing laws for noise abatement and control....	389	2887	3057					
569.	(Substitute) by Committee on Ecology: Providing for the abatement and control of noise.....			3057	3058		3229		
575.	Representatives Charnley, Brown, Valle and Williams: Directing county prosecutors and the attorney general to present cases of election error and fraud to the courts..	391	1313						
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tage motor vehicle to be used for daily transportation and bear plates from its year of manufacture.....	410	1397	1674	1675		2858			
597. Representatives Thompson, Zimmerman and Laughlin: Regulating public water supply sytems.....	411	1447	1676-1679	1679		2858			
601. Representatives Parker, King, Erickson, Rabel, Fortson, Warnke, Bender, Clemente and Maxie: Revising voter registration procedures..	411	458	688	1805	732, 1260, 1390, 1429, 1731	1144, 1143, 1390, 1428, 1804	1829	1881	2270 Ch. 21 1st Ex.
604. Representatives Kuehnle, Chatalas and Garrett: Providing that licensed real estate salesmen may sell mobile home when sold with land on which it rests.....	412	755	869	2482	870, 1251,	2481	2636	2668	Ch. 60 1st Ex.
607. Representatives Gallagher, McCormick, Knowles and Gaines: Regulating tow trucks.....	413	1494	1757, 1773-1780, 1790-	1797	1497, 1501-	2858			

611. Representatives Zimmerman, Thompson and Laughlin: Providing public water supply system planning.....	413	1495	1681						
611. (Substitute) by Committee on Social and Health Services: Providing for coordinated development of public water supply systems.....			1681	1682	2858				
612. Representatives Beck and Kalich: Implementing the law relating to county roads.....	413	779	1417	1788	1827-1828				
616. Representatives Hurley, Blair, May, Laughlin, Douthwaite, Van Dyk, Charnley, Thompson and Lysen: Requiring the approval of the department of ecology when a highway project is to be constructed.....	418	1447	2918						
617. Representatives Charnley and King: Providing for a public list of absentee ballot applications.....	418	1313	1537	1538	2271	2265	2315		Ch. 61 1st Ex.
621. Representatives Thompson, Berentson, Perry and Polk: Providing for environmental protection in public construction contracts.....	419	1277	1580	1580, 2540	2539	2660	2686		Ch. 62 1st Ex.



	eggs for use in fish farming or aquaculture for any length of time.....	421	1459	2039	2039		2858			
637.	Representatives Charette, Thompson, Bausch, Conner, Jastad, Van Dyk, Anderson, Savage, Benitz, Schumaker, Zimmerman, Newhouse, Flanagan, Clemente, Goltz, Paris, Kalich, Haussler, Swayze, North (Lois) and Berentson: Enacting the forest practices act of 1973.....	422	2888							
638.	Representatives Gaspard, Pardini and Bagnariol: Providing for the regulation of debenture companies.....	422	779	1289	1289, 2539	2419	2418, 2538	2636	2668	Ch. 171 1st Ex.
640.	Representatives Williams, Bluechel, Perry, Lysen, Paris, Blair and Wojahn (by Executive request): Creating a state department of consumer affairs.....	423	1410	1669, 1692- 1702	1797		2858			
647.	Representatives Conner, Parker, Van Dyk, Rabel, Blair, Paris, Wojahn, Eng, Perry and Maxie (by Executive request): Creating a new board of prison terms and paroles and defining its functions.....	439	2888							





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668.	Representatives Jastad, Kalich and Savage: Regulating factory built commercial structures.....	444	1205	1304	1304	1765	1816	1881	2270 Ch. 22 1st Ex.
670.	Representatives Nelson, Gilleland, Charnley and Beck: Pertaining to local sales taxes adopted to finance local public transportation systems.....	445	780, 2049			884			
671.	Representatives Gallagher, Conner and Kalich: Permitting Sunday boxing and twelve-round state and regional championship bouts....	445	2888						
674.	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..	445	1594	1886					
674.	(Substitute) by Committee on Social and Health Services: Providing for the licensing of persons who fit hearing aids.....			1886	1887, 2553	2551	2841	2821	Ch. 106 1st Ex.

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675. Representative Polk: Excepting certain take-out purchases from purview of criminal sanctions.....	446	1523							
681. Representatives Julin, Curtis, Bagnariol, Gilleland, Polk, Lysen, Kraabel and Freeman: Exempting certain sales of property from the sales tax imposed to finance transportation systems.....	447	1277							
685. Representatives Kuehnle, Anderson and North (Lois): Providing that fire districts may contract with the state authority owning adjacent lands for fire protection.....	470	1397	1581	1581		2271	2265	2315	Ch. 64 1st Ex.
693. Representatives Goltz, Eng and Maxie: Prohibiting discrimination by use of physical qualifications for employment.....	476	1459							

695.	Representatives Eikenberry and Maxie: Authorizing state banks and trust companies to invest in community development groups.....	477	1459									
698.	Representatives King, Brown and Valle: Implementing the law relating to prevention and correction of certain election frauds and errors.....	477	1313	1380	1380	2531	2841	2821				Ch. 165 1st Ex.
704.	Representatives Bluechel, Perry and Kopet (by Executive request): Planning and funding of capitol office facilities...	478	2050	2385	2386, 2546	3140	2543	2636	2668			PV Ch. 217 1st Ex.
705.	Representative Bagnariol: Permitting a health care service subscribee ten days to reject a health care services contract.....	478	1594	1758	1758	2271	2265	2315				Ch. 65 1st. Ex.
706.	Representative Randall: Requiring assessors to add to the assessment list the omitted value of personal property.....	479	1106, 2889	1168, 2899	1169, 1253, 2900	671, 2870	2858, 2890, 2978	3009	3071			Ch. 8 2nd Ex.
711.	Representatives Kuehnle, Bagnariol, Ceccarelli, Morrison and Gallagher: Relating to gambling.....	481	1769	1816	1702							



	the solicitation of funds for charity.....	484	1448	1557					
722.	(Substitute) by Committee on Commerce: Implementing laws relating to solicitation of funds for charity.....			1557	1558, 2358	2358	2475	2530	Ch. 66 1st Ex.
726.	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.....	502	1107	1170- 1171	1294	2858			
731.	Representatives Paris, Adams, May and Matthews: Expanding nursing home treatment authority.....	504	755	1801- 1802	1802, 2554	2553	2841	2821	Ch. 108 1st Ex.
736.	Representatives Bausch, Anderson and Hendricks: Es- tablishing base year formula for certain tax districts' excess levies.....	505	1107	1172- 1175	1175, 1254, 2048	2047	2081	2159	Ch. 67 1st Ex.
737.	Representatives Sommers and Smythe: Changing certain procedures for approving the creation of a special district.	505	1448						
741.	Representatives Chatalas, Curtis, Swayze, Charette, Wojahn and Pardini: Requiring				1338,				2270 Ch. 23



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761. Representatives Smythe, Eikenberry, Smith, Barden, Parker and Tilly: Increasing penalties for defrauding hotels, inns, restaurants and boarding houses.....	511	1523	1582					
764. Representatives Polk, Bauer, Smythe, Barden, Pullen, North (Lois), Clemente, Hoggins, Bender, Hayner, Hurley, Eikenberry, Gilleland, Thompson, Freeman, Kopet, Brown, Julin, Warnke, Curtis and Wilson: Setting up an educational account- ability system of common schools.....	536	1333, 1770		1335				
766. Representatives Kopet, Kuehnle, Hurley and Hendricks: Providing for the regulation of legend drugs.....	536	1313	1559- 1563	1563, 2612	2555 2555	2555, 2612	2660	2686 Ch. 186 1st Ex.
769. Representative Kopet: Enabling secretary of depart- ment of social and health services to sell certain lands.....	537	1495	1683	1683	2580	2841	2821	Ch. 109 1st Ex.

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781. Representative Charette: Defining employment for purposes of the unemployment compensation act.....	539	1566							
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782. Representative Charette: Regulating chain distributor business schemes.....	539	756	877	877	1708- 1255, 1710, 2406	1708, 2100, 2271, 2406	2445	2477	2661 Ch. 33 1st Ex.
784. Representatives Bausch and Ehlers: Increasing mileage allowance for state officials and employees.....	539					1273			
785. Representatives Conner, Brown, Bausch, Douthwaite, Chatalas and Wojahn: Increasing the minimum wage.....	539	1362	1683- 1685	1790, 1878, 2868	2861	2858, 3103	3126	3132	Ch. 9 2nd Ex.
789. Representative Knowles: Authorizing an additional superior court judge for Spokane county.....	540	1449							



791. Representatives Bluechel, Randall, Williams, Zimmerman, Charnley, Kopet, Brown, North (Lois), Matthews, Kraabel, Patterson, Hoggins, Perry, Rabel, Nelson and Blair: Enacting the Wash- inton Land Use Act.....	540	1450	1669- 1671	1671	2858
799. Representatives Hayner, Benitz, Schumaker and Tilly: Providing that county may let contract up to \$3,000 without bid.....	544	2912			
804. Representatives Freeman, Bagnariol, Pullen, Eng, Kopet, Curtis, Hansen, North (Frances), Cunningham, Kelley, Smythe, Charette, Gaspard, Polk, Kuehnle, Barden, Eikenberry, Rabel, Hendricks, Schumaker, Kraabel, Pardini, Hayner, Randall, Matthews, Gilleland, Hansey and Leckenby: Enacting the truth in spending act of 1973..	545	1770			
808. Representatives Thompson, Kopet and Savage: Revising forest fire protection assessments.....	546	1719		1724	
809. Representatives Hansey, Goltz, Berentson and Van Dyk:					

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Revising the apportionment formula for the grade cross- ing protective fund.....	547	1398							
811. Representative King: Implementing certain contrac- tual rights of employees of school districts and members of the teachers' retirement system.....	547	1906							
820. Representatives Patterson, Charnley, Rabel, Goltz, Freeman, Benitz, Thompson, Maxie and Tilly: Authorizing method of creating mandatory student association fees at institutions of higher education.....	549	1398	1887- 1888	1889- 1890		2858			
821. Representatives Pardini, Wojahn and Curtis: Pro- viding for prearrangement contracts for the purchase of cemetery merchandise or services.....	549	1205	1381	1382		2353	2370	2446	Ch. 68 1st Ex.

827. Representatives Bausch, Bluechel and Williams: Pro- viding that county compre- hensive plans may cover a portion of such county.....	551	1278	1382	1383	2353	2380	2446	Ch. 172 1st Ex.
830. Representatives Hansey, Randall and Berentson: Clar- ifying the laws relating to aircraft hazards.....	552	2083						
832. Representatives Gilleland, Freeman, Polk, Matthews, Bluechel and Perry: Changing description of state highway route number 901.....	552	2421						
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933. Representatives Hansey, Goltz and Matthews: Permit- ting Canadian doctors to practice medicine in cer- tain specified Washington areas during an emergency situation.....	599	1450	1803	2124	2689, 2820	2689, 2819	2838	2840	Ch. 110 1st Ex.

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944. (Substitute) by Committee on Social and Health Services: Permitting nursing homes to offer out-patient services.			1781- 1783	1783		2353	2380	2446	Ch. 71 1st Ex.
946. Representatives Matthews and Adams: Permitting the department of social and health services to adjust vendors' rates.....	603	1363	1784- 1786	1786		2848			
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36. Representatives Polk, Kuehnle, Eikenberry and Gilleland: Amending the Con- stitution to provide for two year excess levies.....	1275						
37. Representative Randall: Relating to revenue and taxation.....	1310	2265	2490- 2492	2265, 2485, 2492, 2647- 2649	2647	2841	2821
38. Representative Williams: Relating to state government...	1310						
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40. Representatives Thompson, Polk and Van Dyk: Changing the re- quirements for passage of bond propositions.....	1547	1596	1780	1781		2353	2380	2446	
41. Representatives Brown, Charette, North (Lois) and Moon: Amending the Constitu- tion to permit a bill to take effect ninety days after the Governor's signature.....	1902	2273	2922	2923	2923- 2924, 3100				





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43. Representatives Lysen, Williams, Kilbury and Laughlin: Requesting an order be directed to the department of health, education and welfare requiring it to carry out congressional intent.....	1429					
44. Representatives Kilbury, Douthwaite, Valle, Charnley, Van Dyk and Laughlin: Di- recting a study of the estab- lishment of a Washington D.C., Legislative Liaison Office.....	1520					
45. Representatives Lysen, Perry, Valle and Laughlin: Directing a study of land acquisition by airports, if such land is ad- versely affected by airport noise.....	1547	2084		1649		
46. Representative Moon: Resolves that the House and Senate meet in joint session on March 29, 1973 at 4:30 p.m. to hear a report from the Astronauts of Appollo 17.....	1593	1593	1593	1612	1612	1629
47. Representatives Swayze, Morrison, Newhouse, Pardini, Juelling, Nelson, Smythe,						



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53. Representatives Bagnariol, Shinpoeh and Kopet: Suspends the twenty-four hour require- ment for Free Conference re- ports for Engrossed Senate Bill No. 2803.....	2630	2630	2630			
54. Representatives Haussler, Julin and Kalich: Resolves that the thirty-six hour require- ment for free conference re- ports be suspended for En- grossed Senate Bill No. 2306...	2665	2666	2666			
55. Representative Charette: No- tifying the Governor of the beginning of session.....	2851	2851	2851	2857	2859	2872
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57. Representatives Swayze, Pardini, Morrison, Curtis, Julin, Newhouse and Flanagan: Establishing a schedule for this extraordinary session.....	2875								
58. Representative Charette: Pro- viding for a joint session re- garding the energy crisis.....	2910		2910	2910		2928	2929	3041	

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NUMBER, AUTHOR AND SUBJECT	Introduced	Adopted	Rejected	Other Action
46. Representative Charette: Notifying the Senate that the House is organized and ready for business.....	1217	1217		
47. Representative Charette: Resolves that the permanent House rules for the Forty-third Session be adopted as the permanent rules of the extraordinary session of the Forty-third Session.....	1218	1218		
48. Representative Charette: Resolves that the standing committee of the extraordinary session shall be the same as those appointed by the regular session, and the members thereon are reappointed.....	1218	1219		
49. Representative Charette: Directs the state treasurer and budget director to pay the salaries of the employees of the House and members' subsistence allowance every seventh day of the session.....	1219	1219		
50. Representative Ehlers: Congratulates Coach Lloyd Blanusa and the White River basketball team for winning the Class A high school basketball tournament.....	1291	1292		
51. Representatives Thompson and Paris: Declares this to be Longview Day in honor and recognition of the achievements of the City of Longview on the occasion of its Golden anniversary.....	1314	1315		

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NUMBER, AUTHOR AND SUBJECT	Introduced	Adopted	Rejected	Other Action
52. Representatives Conner and Savage: Congratulates Ernest M. Brannon on the anniversary of his fiftieth year of service in the Department of Fisheries and to the State of Washington.....	1290	1291		
53. Representatives Ceccarelli, Pardini and Chatalas: Commends Daniel B. Ward for his many years of dedicated and meritorious service to the State of Washington, both as a private citizen and as a state official.....	1425	1426		
54. Representatives Maxie, Kraabel, Bauer, Hoggins, Rabel, Perry, Eng, O'Brien, North (Lois), Sommers, Charette, Thompson, Goltz and Chatalas: Recognizes the past achievements of Alfred E. Cowles and expresses deepest gratitude for the service he has given to the state of Washington.....	1440	1441		
58. Representatives Conner, Swayze and Ceccarelli: Resolves that tribute be paid to our neighbors of Greek ancestry and to the people of Greece upon the occasion of the One Hundred Fifty-second Anniversary of Greek Independence.....	1502	1503		
61. Representatives Erickson, Goltz, Maxie, Van Dyk, Rabel and Curtis: Urges all citizens of the Puget Sound region to watch and participate in the Public Education Television series on the criminal justice system, "The Second Mile."...	1649	1650		
63. Representatives Randall, Smith, Beck and Swayze: Commends the East High School Knights of Bremerton and their coach,				

Les Eathorne, for winning the class AA state basketball championship.....	1644	1644
54. Representatives Douthwaite, Rabel, Kraabel and Blair: Congratulates the coach and players of the 1973 Roosevelt High School Basketball Team for winning the state class AAA championship.....	1668	1669
71. Representatives Bausch and Hendricks: Commends Captain Writer, U.S.A.F., for his devotion to family, duty, and country during his long days of internment as a prisoner of war. Extends a warm welcome home to Captain Writer on behalf of all the state's citizens. Expresses sincere gratitude, appreciation, and thanks for a job well done to Captain Writer and to all of the state's returning prisoners of war.....	2128	2129
125. Representative Charette: Resolves that the House give thanks to those who have made their stay in the Capitol City a memorable occasion.....	2832	2833
126. Representatives Charette and Rabel: Extends gratitude and appreciation to the members of the news media for the good work which they have done this session.....	2833	2833
127. Representative Charette: Appointment of committee to notify the Governor that the House is ready to adjourn <u>sine die</u> .	2842	2842
134. Representative Charette: Provides for the completion of the work of the House after adjournment and during the interim period. Authorizes attendance of the Speaker and specified employees at certain conferences.....	2829	2832
145. Representative Charette: Notifying the Senate the House is organized for business.....	2850	2850

SUBJECT AND HISTORY OF HOUSE FLOOR RESOLUTIONS

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NUMBER, AUTHOR AND SUBJECT	Introduced	Adopted	Rejected	Other Action
146. Representative Charette: Providing for weekly payment of Representatives and House employees, and providing each member the necessary supplies and materials to operate the House.....	2850	2850		
147. Representative Charette: Provides that the permanent House rules of the Forty-third Session be adopted as the House permanent rules for the Forty-third Session, with certain specified exceptions.....	2852	2857		1855-2857
148. Representatives Hurley, May, Cunningham, Haussler, Bender, Moon, Polk, Garrett and Clemente: Directs that the committee on state government conduct a study on the Governor's power to make major changes by the adoption of executive orders, and any proposed legislative or constitutional changes for the January, 1974 Special Session.....	3076			3077
151. Representative Charette: Notifying the Senate that the second extraordinary session of the Forty-third Legislature is ready to adjourn Sine Die.....	3229	3229		
154. Representative Charette: Provides for the completion of the work of the House after adjournment and during the interim period.....	3228	3228		





SUBJECT AND HISTORY OF SENATE BILLS IN THE HOUSE

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in the veterans bonus law.....	1267	347							
2025. Senator Walgren: Changing the amount of money which may be disbursed in the case of the death of a resident at a state institution.....	885, 1267	888	953	2257	2258		2314	2370	Ch. 76 1st Ex.
2036. Senators Odegaard, Talley and Gardner: Creating a division of corrections within the de- partment of social and health services.....	1687	1688	1833	2510	2692- 2693		2839	2841	Vetoed
2037. (Substitute) by Committee on Transportation and Utilities: Regulating the movement of farm vehicles and implements.....	896, 1267	897	984	1057, 1072, 1074	1297		1323	1327	Ch. 1 1st Ex.
2040. Senators Clarke and Woody: Increasing age limit for applying gift tax exclusion.....	1546	1547	1734	2149	2149		2314	2370	Ch. 146 1st Ex.
2043. Senators Francis, Clarke and Woody: Providing for jurisdiction in certain actions for divorce,	1546,	1548,							







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districts to select a treasurer other than the county treasurer..	1308	1311	1691						
2096. Senators Gardner, Murray and Odegaard (by Joint Committee on Education request): Setting out conditions whereby superin- tendent of public instruction can by rule or regulation allow apportionment moneys for less than regular 180 day school year.	535, 1267	570	924	1060, 1075	1798, 2538	1162, 2049, 2272, 2537	2669	2838	Ch. 78 1st Ex.
2098. Senators Bottiger, Newschwander and Donohue: Per- mitting county treasurers to invest in certain securities.....	1546	1547	1633	2150	2151		2315	2370	Ch. 140 1st Ex.
2099. (Substitute) by Committee on Ways and Means (Originally spon- sored by Senators Bottiger and Murray and Grant): Authorizing a fire protection district service charge.....	2080	2081	2083, 2533	2675- 2678	2679		2827	2840	Vetoed
2101. Senators Durkan, Connor and Peterson (Ted): Providing				2395,					



SUBJECT AND HISTORY OF SENATE BILLS IN THE HOUSE

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Committee on Higher Education request): Implementing state patrol retirement act.....	1707, 3042	1715, 3045	2274	3068	3068		3103	3126	Vetoed
2113. (Substitute) by Committee on Social and Health Services: Establishing a hospital commission.....	885, 1267	889	954, 1001	1001, 1298, 1318- 1321	1209, 1321	1150, 1179, 1208	1389	1392	Ch. 5 1st Ex.
2118. Senators Gardner, Durkan and Fleming (by Asian-American Advisory Council request): Re- moving citizenship requirements to teach in common schools of state.....	1389	1393	1664						
2119. Senators Sandison, Lewis (Harry), Stortini, Marsh, Gardner, Canfield, Keefe, Donohue and Talley (by Joint Committee on Higher Education request): Author- izing retirement plans, including old age annuities, for faculty members and other employees of universities, colleges, and com- munity colleges.....	2667	2700		2700- 2702	2702		2839	2841	Ch. 149 1st Ex.











Herr: Requiring precinct officers to appear on absentee ballots....	1267, 2907	571, 2908	985						
2245. Senators Walgren and Wanamaker: Providing compensation to members of the marine employees commission.....	1707	1715							
2247. (Substitute) by Committee on Ways and Means: Revising state tax structure.....	1898	1903		2485-2489	2489	2078, 2088-2089, 2485	2686	2838	Ch. 141 1st Ex.
2248. Senators Woody, Atwood and Bottiger: Establishing certification procedures for court reporters.....	657, 1267	659	963						
2250. (Substitute) by Committee on Transportation and Utilities: Implementing the laws relating to motor vehicle size, weight and load.....	1628	1630	2084	2400	2400		2529	2575	Ch. 150 1st Ex.
2256. Senators Bottiger, Clarke, Francis, Matson, Sellar, Jones and Fleming (by Department of Social and Health Services request): Implementing the law of juvenile probation services...	1490	1493	1815	2443	2444		2629	2636	PV Ch. 198 1st Ex.
2262. Senators Talley, Sellar and Ridder: Changing the voting requirements for water and sewer districts located in more than one city.....	1897	1903							

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2264. (Substitute) by Committee on Transportation and Utilities: Requiring certain suspension systems on motor vehicles.....	1764, 2907	1766	3075						
2266. (Substitute) Committee on Ways and Means: Amending the Law Enforcement and Fire Fighters' Retirement System request.....	2080	2082	2426						
2268. Senators Bottiger, Woodall, Sellar and Wanamaker: Enacting the land sales disclosure act....	1427	1430	1497	1665- 1667	1667	1435, 1497- 1499	1707	1712	Ch. 12 1st Ex.
2270. Senators Bottiger, Woodall and Marsh: Allowing court to stay order declaring a person an hab- itual traffic offender if due to alcoholism and person is receiving treatment.....	1427	1430	1734	2448	2449		2529	2575	Ch. 83 1st Ex.
2278. Senators Durkan, Dore and Lewis (Harry): Restricting use of abstracts of driving ex- perience for insurance purposes..	657, 1267	659	986	1305- 1306	1544, 1901	1649, 1751- 1752, 1900	2081	2081	Ch. 37 1st Ex.

2287. Senators Bottiger, Stortini, Fleming and Ridder (by Joint Committee on Education request): Implementing law relating to school district organization.....	705, 1268	707	960	1306	1307		1323	1327	Vetoed
2288. Senators Woody, Clarke and Van Hollebeke: Repealing records deposit requirement.....	1586	1588	1734	2152	2152		2315	2371	Ch. 84 1st Ex.
2289. Senators Durkan, Bailey and Newschwander: Gives option to principals and assistant principals of joining together for separate employer-employee negotiations.....	1897	1903	2274	2603- 2609	2609, 2812	2811	2839	2841	Ch. 115 1st Ex.
2293. Senators Francis, Peterson (Ted), Connor and Dore: Enlarging scope for investments under the Refund- ing Bond Act.....	885, 1268	889	1050	1582, 1600- 1603	1603		1765	1803	Ch. 25 1st Ex.
2294. Senators Whetzel and Henry (by Secretary of State request): Implementing laws relating to the secretary of state.....	1355	1359	1913	2449	2449		2630	2636	Ch. 85 1st Ex.
2300. Senators Woody, Clarke and Van Hollebeke: Permitting use of electronic data processing system in selecting juries.....	1764, 3080	1766, 3083	3129	3150	3150		3193	3193	Ch. 13 2nd Ex.





Atwood: Establishing maximum rates to be paid for public printing and legal notices.....	1389	1393	1633	1823	1823		1880	1881	Ch. 28 1st Ex.
2317. Senator Matson: Changing penalties under Wash- ington clean air act.....	896, 1268	898	1771	2259	2259		2405	2411	Ch. 176 1st Ex.
2319. Senators Francis, Clarke, Day and Peterson (Ted)- (by Executive request): Providing for the care and treatment of the criminally insane.....	1707	1715	1913	2506	2506		2630	2636	Ch. 117 1st Ex.
2324. Senators Day, Bailey and Atwood (by Department of Personnel request): Amending the duties of the state committee on salaries..	672, 1268	673							
2326. Senators Durkan, Bailey, and Rasmussen (by State Auditor request): Authorizing state auditor to make recommendations for improved level of fiscal management.....	1586	1589	1835	2117	2117		2159	2265	Vetoed
2328. (Substitute) by Committee on Transportation and Utilities: Adopting the highway budget.....	1628	1630	2345	2371- 2376	2377, 2816	2351,2532, 2719, 2815	2839	2838	PV Ch. 222 1st Ex.
2329. Senators Atwood and Mardesich: Providing for changes in the legal services revolving fund.....	885, 1268	889	1835						









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on Higher Education: Creating the Washington higher education assistance authority...	1308	1312	1450, 1771, 2391	2392			2475	2477	Ch. 120 1st Ex.
2408. Senators Walgren, Twigg and Sandison: Authorizing remedies and penalties for violation of municipal competitive bidding requirements.....	1514, 3080	1521, 3083							
2410. Senators Bottiger, Henry and Sandison: Allowing the operation of school buses and certain trucks under any road conditions.....	2080, 3071	2102, 3071	3085	3095	3096		3126	3126	Ch. 15 2nd Ex.
2416. Senators Bottiger and Walgren: Implementing the law relating to motor vehicle theft..	1455	1493							
2421. Senators Ridder, Marsh and Canfield (by Secretary of State request): Providing for changes in the publication of notice of proposed constitutional amendments.....	1455	1493	2056						



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to motor vehicle laws.....	1897	1904							
2458. (Substitute) by Committee on Commerce: Enacting the Gasoline Dealer's Act of 1973.....	2667	2705							
2459. Senators Bottiger and Scott: Providing for rights of parents of illegitimate chil- dren as to certain domestic re- lations proceedings.....	896	901	965	1033- 1035	1035, 2657	2656- 2657	1105	1147	PV Override Ch. 134
2463. (Substitute) by Committee on Labor (Originally sponsored by Senators Grant, Bailey, Fleming and Stender-by Department of Labor and Industries request): Revising the law relating to industrial welfare.....	3042	3046		3069- 3071, 3077	3078	3071	3103	3126	Ch. 16 2nd Ex.
2465. Senators Henry and Canfield (by Secretary of State request): Making changes in the laws relating to primary elections.....	1586	1589							



2468. Senators Rasmussen, Peterson (Lowell), Herr and Woody: Granting free game licenses to persons who will turn seventy years of age within the calendar year.....	1765	1767	
2473. (Substitute) by Committee on Social and Health Services: Relating to regulation and li- censing of massage.....	1490	1494	
2475. 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.....	1586	1590	2057
2480. Senators Henry, Peterson (Lowell) and Talley: Relating to reforestation lands, dispo- sition of proceeds.....	705, 1268	708	2010
2488. 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.....	1328, 3080	1332, 3083	
2490. Senators Durkan, Matson, Mardesich, Fleming, Bottiger,			

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Whetzel, Walgren, Gardner, Murray, Francis, Twigg, Washington, Greive and Woodall (by Executive request): Granting victims of crime compen- sation under certain conditions..	1427	1430	1723, 2058, 2133	2432	2433	1435, 1813, 2059	2659	2575	Ch. 122 1st Ex.
2491. 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.....	1687	1688	1834	2574	2574		2686	2838	Ch. 123 1st Ex.
2494. Senators Matson and Woodall: Providing funding for convention centers.....	3183	3187		3188	3189	3187	3226	3226	PV Ch. 34 2nd Ex.
2497. Senators Bottiger, Lewis (Harry) and Gardner: Allowing accrual of vacation leave until December 31st of each year.....	1389	1394	2058						





and Atwood: Providing for an increase in the salaries of part time district court judges.....	2352	2369								
2544. Senators Durkan, Peterson (Ted) and Connor: Providing for registration of contractors by the department of labor and industries.....	1389	1394	1771	2119	2268		2405	2411	Ch. 153 1st Ex.	
2551. Senators Wanamaker and Walgren: Prescribing purposes for which motor vehicle funds may be expended.....	2978	2980	3075							
2552. Senators Walgren, Wanamaker and Sandison: Authorizing continued support of the Puget Sound reserve account.....	885, 1268	893	2279	2379	2379		2475	2477	Ch. 124 1st Ex.	
2554. (Substitute) by Committee on Local Government: Providing for prevention of cruelty to animals.....	1707	1716	2058	2652	2653		2827	2841	Ch. 125 1st Ex.	
2555. Senators Herr, Donohue, Twigg, Lewis (Harry), Henry, Keefe, Woodall and Connor: Reducing liquor tax from four to three cents per fluid ounce.....	2667	2705								
2570. Senators Ridder, Bailey, Woodall and Van Hollebeke: Revising operation of the Washington state patrol retirement system.....	2080	2083	2427	2708	2709		2839	2841	Ch. 180 1st Ex.	



Talley: Fixing compensation of diking district commissioners for labor other than attendance at meetings.....	1764	1767	2058						
2586. (Substitute) by Committee on Ways and Means: Providing for minimum benefits of firemen and police pensions.....	2271	2272	2427	2653	2653		2827	2842	Ch. 181 1st Ex.
2589. (Substitute) by Committee on Financial Institutions: Setting maximum fees and interest charge- able by pawnbrokers.....	1730	1731	2011	2510	2510		2630	2636	Ch. 91 1st Ex.
2590. Senators Walgren and Wanamaker (by Department of Highways request): Revising pro- visions regarding urban arterial trust account funds.....	2080	2103	2350	2380	2380		2475	2477	Ch. 126 1st Ex.
2598. Senator Mardesich: Author- izing the state of Washington to economically develop state owned and managed lands.....	1897	1904	2279	2654	2655, 2686- 2687				
2600. (Substitute) by Committee on State Government: Enacting the liquor board omnibus act.....	1586	1590	1838	2669- 2671	2671		2827	2842	Ch. 209 1st Ex.
2602. Senators Murray, Gardner and Talley (by Oceanographic Com- mission request): Reconstituting the oceanographic commission.....	2080	2103							





on Local Government: Enacting the State Building Code Act.....	1455	1494							
2642. Senators Durkan, Walgren and Guess: Providing for the acquisition of parking facilities by the state highway commission..	2978	2980	3085	3152	3153		3193	3193	Ch. 18 2nd Ex.
2643. Senators Dore and Mardesich: Permitting bank holding companies to acquire 100% control of one bank, but no more than 25% of more than one bank.....	1427	1435	1599	2493	2493		2630	2636	Ch. 92 1st Ex.
2656. Senators Lewis (Harry) and Sandison: Providing savings and loan associations may act as a trustee.....	1586	1591	1691	2256	2256		2315	2371	Ch. 93 1st Ex.
2657. Senators Clarke and Jones: Revising appeal procedures under the shoreline management act.....	2080, 2978	2083, 2980	3075	3093	3094		3126	3126	Ch. 19 2nd Ex.
2659. Senators Atwood, Woody and Lewis (Harry): Providing certain disability benefits for state patrol officers.....	1687, 2978	1689, 2981		3061	3061		3103	3126	Ch. 20 2nd Ex.
2662. (Substitute) by Committee on Parks and Recreation: Providing for the regulation and safe operation of recreational conveyances.....	1355	1359	1691						

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2667. Senator Dore: Authorizing public bodies to deposit the retained percentage funds on public works contracts in a bank.	1687	1689	2012						
2669. Senators Van Hollebeke, Marsh, Gardner, Whetzel, Greive and Knoblauch: Relating to unemployment compensation and requiring employing units to report refusal of offers of reemployment.....	2352	2370							
2672. Senators Durkan and Atwood (by Office of Program Planning and Fiscal Management request): Establishing a federal revenue sharing trust fund.....	1764	1767	2059	2589	2589	1768	2686	2838	Ch. 129 1st Ex.
2674. Senators Mardesich, Lewis (Harry) and Whetzel (by Department of General Administration request): Providing for alien banks in Washington.....	.1628	1631							
2675. Senator Day: Revising the		896,							

laws regulating chiropractic.....	1268	902							
2678. Senators Ridder, Fleming and Gardner: Implementing laws relating to recall of elected public officials.....	2157	2158							
2697. Senators Washington and Gardner (by Lieutenant Governor request): Placing certain appointed public officials under financial disclosure requirements.....	1897	1904							
2716. Senator Bottiger: Estab- lishing a collective bargaining unit comprised of exempt employ- ees who are liquor vendors.....	1730	1731	2059						
2717. (Substitute) by Committee on Judiciary: Creating an organ- ized crime intelligence unit.....	2352	2370		2495	2625		2669	2840	Ch. 202 1st Ex.
2736. (Substitute) by Committee on Judiciary: Making it a misde- meanor to obtain broadcast signals from a cable system without ob- taining the permission of the owner of the system.....	1764	1767	2012	2590	2590		2669	2838	Ch. 94 1st Ex.
2739. (Substitute) by Committee on Higher Education: Clarifying college and university fee structure for bonding purposes.....	1764	1767	2280	2646	2646		2686	2838	Ch. 130 1st Ex.

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2740. (Substitute) by Committee on Ways and Means: Adopting the budget for the institutions of higher education and the commun- ity colleges.....	1143, 1268	1145	2134	2317- 2320	2381- 2382		2630	2636	Ch. 131 1st Ex.
2741. (Substitute) by Committee on Transportation and Utilities: Relating to the regulation of vehicle dealers.....	1707	1716	2087	2673- 2675	2682		2827	2842	Ch. 132 1st Ex.
2748. (Substitute) by Committee on Transportation and Utilities: Authorizing transportation studies.....	2080	2103	2428	2637	2638		2819	2842	PV Ch. 210 1st Ex.
2762. Senator Mardesich: Pro- viding a method for exempting certain additional employees from the civil service law.....	2668	2705		2706	2706		2839	2842	Ch. 133 1st Ex.
2787. (Substitute) by Committee on Transportation and Utilities: Implementing the law relating to the licensing of certain motor vehicles.....	2080	2103	2430						





in-aid programs.....	3183	3187								
2846. Senators Dore and Van Hollebeke: Prohibiting mem- bers of the horse racing com- mission and their spouses from racing their own horses on Washington tracks.....	2157	2158								
2847. Senators Ridder, Keefe, Grant and Matson: Permitting professional musicians eighteen years of age to entertain in licensed premises.....	1514	1521	1772	2440	2440	1522	2659	2575	Ch. 96 1st Ex.	
2854. (Substitute) by Committee on Ways and Means: Adopting an operating budget for certain state agencies.....	2341	2342		2453- 2473	2473, 2684	2342,2452, 2474, 2640, 2684	2839	2842	Ch. 137 1st Ex.	
2866. Senators Donohue and Odegaard: Relating to revenue and taxation.....	2352	2370	2533	2711- 2715	2716	2707- 2708	2839	2842	Ch. 204 1st Ex.	
2890. Senator Odegaard: Setting forth rights to property utilized by the Southwest Wash- ington fair and transferring certain property.....	1764	1768	2350	2826	2826		2839	2842	Ch. 97 1st Ex.	
2897. (Substitute) by Committee on Financial Institutions: Making certain changes in the laws relating to small loan companies..	2157	2158	2280	2495- 2504	2504, 2628	2505, 2626- 2628	2669	2840	Vetoed	

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2914. Senators Murray and Washington: Permitting the shore- lines hearings board to adopt rules of practice and procedure...	1897	1905							
2915. Senators Fleming, Ridder and Gardner: Reducing student population qualification for recognition of certain dis- tricts in class AA counties as separate classification of dis- tricts for certain purposes.....	2907	2909	2955	3060	3060		3103	3126	Ch. 21 2nd Ex.
2918. Senator Peterson (Lowell): Providing for a limitation, through a validated license procedure, on commercial fishing for herring in order to protect the species.....	1897	1905	2132	2441	2442		2659	2575	Ch. 173 1st Ex.
2939. Committee on Natural Resources. Endorsed by Senators Peterson (Lowell), Metcalf, Sandison, Peterson (Ted), Lewis (Harry) and Talley: Changing the laws relating to buyers of smelt and smelt fishermen.....	3080	3084							





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Recreation. Endorsed by Senators Knoblauch, Jones, Canfield, Bailey, Woody and Wanamaker: Implementing the law of state shoreland and tidelands.....	3072	3073					3087		
2947. Judiciary Committee. Endorsed by Senators Atwood, Clarke, Bottiger, Van Hollebeke, Woodall, Francis, Dore and Twigg: Changing the effective date of laws relating to new commit- ment procedures for mentally disordered persons.....	3078	3079	3132		3151, 3155	3156	3193	3193	Ch. 24 2nd Ex.
2952. Senators Peterson (Lowell), Metcalf, Peterson (Ted), Mattingly and Marsh: Autho- rizing a study of fish food.....	3072	3073	3085	3096	3097		3126	3126	Ch. 25 2nd Ex.
2954. Senators Odegaard and Talley: Authorizing the state highway commission to increase the amount of funds for the operation of the Puget Island									Ch. 26

ferry.....	2978	2981	3076	3094	3095		3193	3193	2nd Ex.
2956. (Substitute) by Committee on Ways and Means (Originally sponsored Senators Mardesich, Atwood and Durkan - by Executive request): Authorizing expenditures by state agencies and offices....	2907	2909	2956	2982, 2999- 3040	3040		3156	3157	Ch. 39 2nd Ex.
2959. (Substitute) by Committee on Ways and Means (Originally sponsored by Senator Durkan): Providing for a system of property tax exemptions.....	3184	3188		3197- 3201	3201	3188	3226	3226	Ch. 40 2nd Ex.
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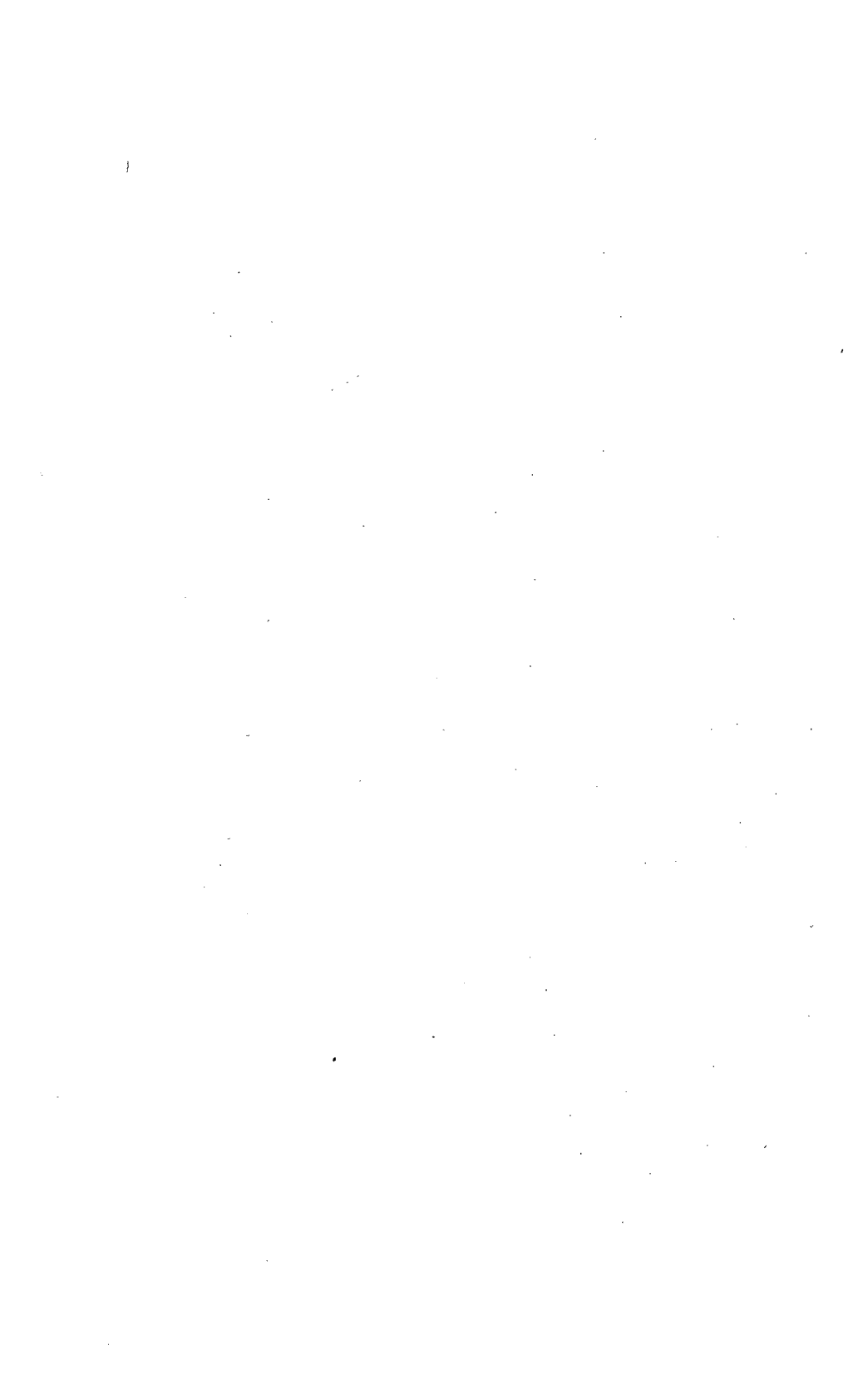
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